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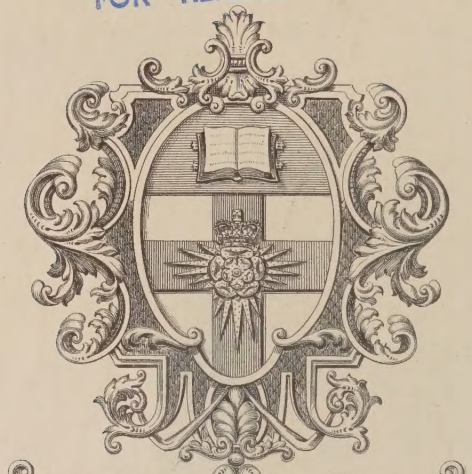

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ACCOUNTS AND PAPERS:

FIFTEEN VOLUMES.

—(14.)—

SLAVERY.

Session

19 *February*——10 *September* 1835.

VOL. L.

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ACCOUNTS AND PAPERS:

1835.

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IN EXPLANATION OF THE MEASURES ADOPTED BY HIS MAJESTY'S GOVERNMENT,

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FOR THE

ABOLITION OF SLAVERY

THROUGHOUT THE BRITISH COLONIES.

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1833—1835.

Ordered, by The House of Commons, *to be Printed,*
16 *April* 1835.

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RELATING TO THE

ABOLITION OF SLAVERY.

SCHEDULE of INSTRUCTIONS addressed by Mr. Secretary *Stanley* to the Officers administering the Government in His Majesty's Possessions in the West Indies, and on the Continent of South America.

(A.)

CIRCULAR DESPATCH, addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions, enclosing Copies of proposed Resolutions for the Abolition of Colonial Slavery.

My Lord, Downing-street, 20 May 1833. Despatch (A.)

HEREWITH I have the honour to enclose to your Lordship a copy of the Resolutions moved by me, on the part of His Majesty's Government in the House of Commons, on the 14th instant, for laying the groundwork of a Bill for the extinction of Slavery throughout His Majesty's dominions, the further debate upon which has been adjourned till the 30th instant. I enclose also a general summary of the Heads of the Bill, which, if The House of Commons should acquiesce in the preliminary resolutions, it is my intention to submit to Parliament. The latter paper, however, you will at once perceive to be, as it professes to be, a mere outline of a plan, which in its details and in its provisions will be liable to considerable modification. I enclose it, therefore, chiefly for the purpose of explaining to you the general views entertained by His Majesty's Government of the principles upon which, and the mode in which, the final object of the extinction of slavery may be attained with the least degree of danger to the peace and welfare of the Colonies.

It is not without extreme reluctance, nor without a conviction of the absolute necessity of such a course, that His Majesty's Government have taken upon themselves the responsibility of recommending to the Imperial Parliament the exercise of their indisputable right to interpose the paramount authority of this country in legislating for the internal regulation of the chartered Colonies. Could any expectation have been entertained that the Colonial Legislatures might be induced, in conformity with the anxious hopes expressed by Parliament, and the frequent recommendations from time to time transmitted by my predecessors, to take effectual measures of their own authority, with the view of ensuring the ultimate abolition of slavery, His Majesty's Government would gladly have paused, and even at the hazard of some delay, and of increased difficulty arising from such delay, have left to those bodies the task of conferring upon the negro population a boon, which, coming from their hands, would have been received with increased gratitude, and attended by diminished risk. I willingly admit that within the last few years laws have been passed by the Legislature of Jamaica tending to meliorate the physical condition and improve the comforts of the slave; and I forbear to point out, while I cannot fail to perceive and to regret, the many particulars in which those enactments still fall short of the recommendations of my predecessors and of the regulations of the various Orders in Council which have successively been introduced into the Crown Colonies. But even had† all these instructions been complied with, to the fullest extent, in the spirit as well as in the letter, they never were considered as the final end to be accomplished, but as preparatory steps by which the slave population might gradually be qualified for the enjoyment of entire freedom, and by which the risks might be diminished, necessarily attendant on any extensive change in the relations of society, much as it might have been desired, that by the cordial co-operation of the Colonial Legislatures, full effect should have been given to this preparatory process; the course of events has rendered it no longer a matter of choice, but of necessity, to pursue a different and a more decided line of policy. Even were it possible for any

Altered for the Crown Colonies.

The feelings which have been exhibited by the Colonists under your Government in regard to the Orders in Council and Local Ordinances which have been successively issued for the melioration of the condition of the slaves, leave me no room to hope that His Majesty's Government could succeed in obtaining any thing more than very partial and equivocal results from their efforts to enforce these laws:

Omitted in the Crown Colonies, from * "It is not without" to* " But even."

Crown Colonies.

† But even had they been, &c.

Despatch (A.)

any Government for any long period to resist the universal expression of public feeling which manifests itself in every part of this kingdom, the safety of the Colonies themselves require, that the uncertainty and insecurity of property consequent on a protracted struggle, the constantly increasing excitement of exaggerated hopes and apprehensions, should be terminated by a decisive exposition of the will of the supreme Legislature, and by an enactment by its authority of measures for the final settlement of the question. It is under a deep conviction of this necessity that His Majesty's Government have felt themselves called upon to appeal to Parliament for its assistance in effecting without loss of time such changes in the condition of the negro population, as may at once remove them from a state of slavery, and place them for a time in an intermediate state, in which they may acquire the habits of free labourers, and prepare themselves for the enjoyment of entire freedom, but during which their present owners should have secured to them the benefit of their continued labour, and thus avoid the dangers which would be inseparable from a sudden transition from absolute slavery to unrestricted freedom.

Into the details of the measure, whether as relating to the terms under which the negro is hereafter to be apprenticed, to the amount and nature of the pecuniary relief to be afforded to the proprietors, to the important object of securing the public tranquillity by an efficient police, or the still more important one of making provision for the freedom of religious opinion, and for the establishment of a system of religious and moral education, I do not feel myself called upon at present to enter. The whole of these details will be subject to discussion and amendment in the Imperial Parliament; and after this country shall have performed its part, much will remain to be done by the local legislatures, which, with reference to the peculiar circumstances of each Colony, and to the local knowledge possessed by them, is best entrusted to their care. It has been the anxious wish of His Majesty's Government to interfere no further in the adjustment of this great question than appeared absolutely necessary to insure the practical and uniform establishment of the great principle which they have in view. His Majesty will at all times be ready to listen to the representations of his subjects in every part of his dominions, and to give his assent to such measures, recommended by the local legislatures as calculated to promote the welfare of the respective Colonies, as shall not be inconsistent with or repugnant to the spirit of the enactments of the Imperial Parliament. The object of my present Despatch is to put you in possession of the general outline of the measures proposed by His Majesty's Government; and even in their present imperfect state, they may serve to show the principles upon which it has been thought right to proceed, and may enable you to make such preparations as you may deem necessary for carrying into effect, in the island of Jamaica, the measures which shall be hereafter sanctioned by Parliament. I need not impress upon your mind the necessity of the utmost vigilance and caution in guarding against the effects of any excitement which may be caused by the announcement of measures so decided in their character, and on a subject of such deep and general interest. You will take such steps as you may deem most expedient for removing any unfounded or exaggerated hopes or apprehensions which you may find to exist as to the object and extent of the contemplated measures. You will use your influence for the purpose of softening any angry feelings which may be produced among the proprietors by the prospect of so great a change; and you will omit no opportunity of impressing upon the minds of the slave population, that they may best deserve and ensure the favour of the mother country by a cheerful and peaceable submission to the existing laws, and by any manifestation of turbulence and disorder, they may forfeit the advantages which His Majesty is anxious to confer upon them. I need not add, that you will feel it to be your duty to repress, by all the means in your power, any disposition, should such unhappily manifest itself, in any class of the population, to insubordination and outrage.

I shall take care to keep you informed of the progress of this measure in Parliament, and shall furnish you from time to time with such instructions as may be necessary for your Lordship's guidance. In the interval of suspense and excitement, which cannot but be expected to intervene, I rely upon your exercise of the decision, prudence and caution which the critical circumstances of the time may render peculiarly necessary.

I have, &c.

(signed) *E. G. Stanley.*'

Enclosure in (A.)

RESOLUTIONS for the Abolition of Colonial Slavery, proposed by Mr. Secretary *Stanley*, 14 May 1833. Enclosure in (A.)

1.—THAT it is the opinion of this Committee, that immediate and effectual measures be taken for the entire abolition of slavery throughout the Colonies, under such provisions for regulating the condition of the negroes, as may combine their welfare with the interests of the proprietors.

2.—That it is expedient that all children born after the passing of any Act, or who shall be under the age of six years at the time of passing any Act of Parliament for this purpose, be declared free; subject nevertheless to such temporary restrictions as may be deemed necessary for their support and maintenance.

3.—That all persons now slaves be entitled to be registered as apprenticed labourers, and to acquire thereby all rights and privileges of freemen; subject to the restriction of labouring, under conditions and for a time to be fixed by Parliament, for their present owners.

4.—That to provide against the risk of loss which proprietors in His Majesty's colonial possessions might sustain by the abolition of slavery, His Majesty be enabled to advance by way of loan, to be raised from time to time, a sum not exceeding in the whole 15,000,000*l.*, to be repaid in such manner and at such rate of interest as shall be prescribed by Parliament.

5.—That His Majesty be enabled to defray any such expense as he may incur in establishing an efficient stipendiary magistracy in the Colonies, and in aiding the local Legislatures in providing for the religious and moral education of the negro population to be emancipated.

(B.)

CIRCULAR DESPATCH, addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions, enclosing Copies of the Resolutions for the Abolition of Colonial Slavery, agreed to by The House of Commons 12 June 1833.

Sir, Downing-street, 13 June 1833. Despatch (B.)

I HAVE the honour to enclose for your information a copy of a series of Resolutions by which The House of Commons have declared the expediency of adopting immediate and effectual measures for the Abolition of Slavery in the British Colonies, subject to the various conditions which are demanded by an equitable regard for the rights of the proprietors, and by a comprehensive view of the interests of the slaves themselves and of society at large both in the West Indies and in this kingdom.

The adoption of these Resolutions of The House of Commons will impose most important duties upon you, and on the other officers administering the government of the British Possessions in which slavery prevails.

No principle was more distinctly avowed by myself and my colleagues in the recent Parliamentary discussions, nor was any recognized with greater unanimity by The House of Commons than that the success of all efforts for the peaceful extinction of negro slavery, must depend upon the cordial co-operation of all classes of the colonists, and especially of the Colonial Legislatures. No labour has been declined, and scarcely any sacrifice has been thought too costly which might propitiate them to the cheerful acceptance of the measures which one branch of the British Legislature has, at the instance of His Majesty's Government, solemnly resolved to adopt. The King, therefore, indulges the earnest and confident hope that his faithful subjects in the Colony under your government will approach this question with the dispassionate seriousness due to the immense interests at stake. That they will deliberately estimate the progress and the present state of public opinion (as bearing on this subject) not in this kingdom only, but throughout the civilized world, and that, adverting to the difficulties with which Parliament have to contend, and to the just and liberal spirit by which their councils have been guided, they will unite with them in the zealous prosecution of this great design to a successful issue.

The measures which the Ministers of the Crown are about to propose to Parliament, in order to carry into effect the Resolutions of The House of Commons, will be framed in such a manner as to pay the utmost possible deference to the constitutional privileges of the Councils and Assemblies throughout the West Indies. To those bodies will be presented the opportunity of securing to themselves, not only the attachment of the slave population, but the respect and gratitude of the

Despatch (B.)

people of Great Britain and of the other nations, who have an interest, more or less direct, in the happy result of this momentous experiment. I will not be so unjust to the members of those Legislatures as to doubt that the magnitude of the occasion, and the high nature of the trust reposed in them, will silence any feelings of jealousy which the controversies of past years may perhaps have excited; and that they will apply themselves to an office as arduous and as important as any legislative body was ever called upon to undertake, in a spirit and temper befitting the discharge of such a duty.

From the slaves themselves, His Majesty, the Parliament and the nation of Great Britain are entitled to expect and to demand the most tranquil and orderly submission to such laws as shall be formed for their future government in a state of freedom. I trust that their masters and the magistracy, and more especially the clergy of the Established Church, with the ministers of religion of every other persuasion, will all unite in one common effort to dispel any allusions under which the slaves may be found to labour as to the real nature of the projected change in their condition, and to inculcate upon them, by the firm yet gentle exercise of all legitimate authority and influence, the great duties of industry and subordination to the laws.

I cannot, however, conceal from myself the possibility that these hopes, however reasonable, may be disappointed, and that involuntary error, or other less venial causes may, on the approach of so great a change in the existing relations of society, involve the peace of the Colonies in some danger. In any such calamitous event you will exert the whole weight of your personal influence to allay the irritation, or to dispel the prejudices with which the measures of Parliament may be encountered; you will, if necessary, also bring your official powers into active exercise, by making the most effective use of the force at your command, and by exacting from the magistracy and police the prompt execution of such orders as you may issue for the maintenance of public tranquillity. Any collision between the different classes of society would be pregnant with calamities the most disastrous, nor is there any measure, within the limits of your lawful authority, to which you will not resort, in order to prevent or to suppress any direct and open resistance to the law, whoever may be the persons by whom any such outrage may be designed or perpetrated.

I readily anticipate the anxiety which will prevail in the Colony, under your government, to ascertain what will be the provisions of any Act which may be passed, to give effect to the Resolutions of The House of Commons, and to obviate the many difficulties with which the extinction of slavery must be accompanied. It is, however, obviously impossible for me to predict, with any confidence, what may be the decision of Parliament upon these subordinate, though highly important questions. I must, therefore, confine myself to a very general and imperfect explanation of the ulterior measures which His Majesty's Government design to recommend.

It is proposed that a body should be constituted, armed with judicial powers, for adjusting the claims between the different Colonies, and between the different proprietors within the same Colony, to a participation in the Parliamentary grant. Effectual security will be taken against the accumulation of costs and expenses upon the claimants; and methods will be devised, for enabling claimants resident in the Colonies, to obtain an adjudication without the inconvenience of employing agents in this country.

It is further intended to refer to the same judicial body, the solution of the many intricate questions which must arise from the transfer of settlements, mortgages and other charges from the land and slaves now subject to them, to the money by which a part of the value of those slaves will be represented.

The abolition of slavery will of course involve most extensive changes even in many parts of the colonial code with which that state of society has no necessary or immediate connexion. For example, the qualifications for seats in the Assembly, and for the enjoyments of many other civil franchises, often pre-suppose the existence of a property in slaves; and the same assumption pervades the law of succession and inheritance, and whatever relates to the distribution of intestate's estates and the execution of judgments of the courts of law. To adapt these parts of the colonial code to the altered state of society, is an undertaking which could not be approached with any prospect of success, except by the various Councils and Assemblies. To aid the future deliberations of those bodies you will direct the law officers of your government to engage immediately in the inquiry,

inquiry, by what enactments the existing law may be most conveniently adjusted to a state of society in which slavery will be unknown. Despatch (B.)

The relation in which the employers and the apprenticed labourers will hereafter stand towards each other, will open another field of legislation upon which it will be the duty of the different Councils and Assemblies to enter as speedily as possible after the promulgation of the projected Act of Parliament. This, however, is a topic diverging into so many subordinate questions, that for the present I can advance no further than to indicate the necessity of an early and careful attention to it.

I shall wait with a cheerful hope, not wholly unmixed with anxiety, your report of the disposition with which the Resolutions of The House of Commons may be received in the Colony under your government. The toils, neither few nor inconsiderable, which Parliament have undergone and have yet to bear in maturing this measure; and the sacrifices which the people of Great Britain are willing to incur for insuring its success, onerous as they are in the present state of our national finances, will be abundantly compensated if those labours and that expenditure shall lay the foundation in our Colonies of a social system, absolved for ever from the reproach of slavery, and in which voluntary and effective industry shall take the place of compulsory labour, to the mutual benefit of the owner and the cultivator of the soil. Towards that consummation the earnest hopes of every member of the British Empire are directed, and by their cheerful concurrence in the attempt, the glory of producing it will become due to the colonists themselves, far more than to any other portion of their fellow subjects.

I have, &c.

(signed) *E. G. Stanley.*

Enclosure in (B.)

RESOLUTIONS for the Abolition of Colonial Slavery, agreed to by The House of Commons, 12 June 1833.

1.—THAT it is the opinion of this Committee, that immediate and effectual measures be taken for the entire abolition of slavery throughout the Colonies, under such provisions for regulating the condition of the negroes, as may combine their welfare with the interests of the proprietors. Enclosure in (B.)

2.—That it is expedient that all children born after the passing of any Act, or who shall be under the age of six years at the time of passing any Act of Parliament for this purpose, be declared free; subject nevertheless to such temporary restrictions as may be deemed necessary for their support and maintenance.

3.—That all persons now slaves shall be registered as apprenticed labourers, and acquire thereby all rights and privileges of freemen; subject to the restriction of labouring, under conditions and for a time to be fixed by Parliament, for their present owners.

4.—That towards the compensation of the proprietors, His Majesty be enabled to grant to them a sum not exceeding 20,000,000*l.* sterling, to be appropriated as Parliament shall direct.

5.—That His Majesty be enabled to defray any such expense as he may incur in establishing an efficient stipendiary magistracy in the Colonies, and in aiding the local Legislatures in providing, upon liberal and comprehensive principles, for the religious and moral education of the negro population to be emancipated.

(C.)

CIRCULAR DESPATCH addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions, notifying that the Resolutions passed The House of Commons had been agreed to by The House of Lords.

Sir, Downing-street, 26 June 1833. Despatch (C.)

IT is with great satisfaction that I apprize you that the Resolutions of The House of Commons, which I had the honour to convey to you in my Despatch of the 13th instant, were last night agreed to in the House of Lords without a division, in precisely the same terms in which they had been passed by the other House.

I have, &c.

(signed) *E. G. Stanley.*

(D.)

CIRCULAR DESPATCH addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions, transmitting the Act passed for the Abolition of Slavery (3 & 4 Will. IV. c. 73), and a Proclamation for giving effect to the same.

Despatch (D.)

Sir, Downing-street, 5 Sept. 1833.

IN my circular Despatch of the 26th June last, I had the honour to enclose for your information Copies of the Resolutions adopted by both Houses of Parliament on the subject of Colonial Slavery; and I announced the intention of His Majesty's Government to introduce a Bill into Parliament for the purpose of giving effect to those Resolutions. That design having been executed, the Bill received His Majesty's assent, and passed into a law on the 28th ult. I now transmit to you copies of this Statute, in sufficient numbers to enable you to place them in the hands of such of the principal inhabitants of the Colony under your government as may be most deeply interested in the subject.

3 & 4 Will. 4. c. 73.

It is a source of great satisfaction to myself and my colleagues, that we have been enabled to accomplish this great measure during the present Session. Amidst all the controversy with which it has inevitably been attended, all parties have been unanimous in the opinion, that a nearly and final settlement of the question was essential to the welfare of the numerous classes of society, whether in this kingdom or in the colonies, whom it more or less directly affected.

It is not my present purpose to vindicate the measure which the ministers of the Crown have thus thought it their duty to propose, and which the Legislature have thought fit to sanction. From the ordinary channels of public intelligence the motives of His Majesty's Government and of Parliament may be collected with sufficient accuracy by those who may desire to learn them; and a revival on this occasion of discussions, which have occupied so many months, would be at once useless and inconvenient.

Neither do I propose to enter upon an explanation of the various provisions of the accompanying Statute. Such a commentary would be superfluous if, as I trust, the Act should be found sufficiently perspicuous to convey its own meaning with all requisite precision.

My present design is to call your attention to the duties which this great change in the law will immediately impose upon yourself; and to explain the measures which His Majesty's Government propose to adopt in order to give complete effect to this Act.

With whatever distinctness a law of this nature may be expressed, it is not to be expected that illiterate persons, or even that men of education, unaccustomed to the perusal of legal documents, should at first acquire an accurate view of the changes which it will introduce in the various relations of society. But on such a subject, popular misconceptions may be of dangerous consequence. It is therefore desirable that the general scope and effect of the law should be made known to the public at large, by an authority in which confidence will be generally reposed.

On so peculiar an occasion as the present, it will be necessary however not merely to dispel possible misapprehensions, but to allay, as far as may be practicable, the excitement which exaggerated hopes and fears may tend to create. At a moment when one of the ancient and fundamental bonds of society, as hitherto constituted, is about to be dissolved, to make room for a system which, though promising great eventual good, involves an immediate change of such extent, it is emphatically necessary that a submissive obedience to the law should be inculcated by the highest authority in the state, and enforced, if necessary, by the most decisive measures.

For these reasons, His Majesty in Council has been pleased to approve the enclosed Proclamation; and I am to instruct you that you lose no time in promulgating it for general information in the most public and authentic manner. In maintaining tranquillity and order within the limits of your government, His Majesty confidently relies upon your activity and zeal. Nor will you fail to exert to the utmost possible extent, both the authority and the legitimate influence which you possess, in securing the co-operation for that end of all public officers and other persons who, from their station, their property or their talents, enjoy a peculiar

peculiar control over public opinion and popular feeling of the Colony of ( ). Despatch. (D.)

On referring to the Act, you will perceive that it does not interfere with the appropriate duties of the Colonial Legislatures beyond the strict limits of the necessity by which that interference was dictated. It indicates a series of general rules by which the future relations of the employer, and of those who are to labour in his service, are to be regulated; referring to the general assemblies, where they exist, the office of supplying by local enactments all subordinate but necessary details. In those Colonies which are subject to the legislative authority of His Majesty in Council, the Act has referred to His Majesty, acting with the advice of his Council, the corresponding duty. This part of the measure was not suggested from any distrust of the legislative bodies existing in those settlements, and still less by any doubt of the superior local knowledge which the members of those bodies would have brought to the discharge of such a task. But this course of proceeding was designed to obviate certain objections which might otherwise have been raised to the execution of the Act of Parliament. It was anticipated that some at least of the Assemblies might urge, that the participation of their constituents in the Parliamentary grant had been made to depend upon their compliance with a condition which it was impossible to perform; and that the problem proposed to them of regulating the various relations of the apprenticed labourers, both to their employers and to the state, admitted of no solution. It was further apprehended that the Assemblies might object that, as their supplementary enactments would not avail for securing the promised benefit unless they should be esteemed satisfactory by His Majesty in Council, they would be totally destitute of any criterion by which to determine whether any particular regulations would or would not be accepted as adequate to the occasion. By the promulgation of the proposed Orders in Council, each of these objections will be obviated. His Majesty's Government will perform the duty clearly incumbent on them, of showing that no insuperable difficulty is involved in the performance of the condition which, at their suggestion, Parliament has prescribed. The Assemblies will be supplied with a model, not of course for servile imitation, but sufficiently developing the general principles on which it is expected that the supplementary enactments will be framed.

If this course of proceeding shall remove the objections which I have noticed, it may however perhaps be thought to give birth to another difficulty equally formidable. It may be said that Orders in Council, originating in England, must be framed in ignorance of local circumstances, and will therefore be inapplicable in practice. This objection has been foreseen, and may, I trust, be effectually obviated. Twelve months* will elapse before the introduction of the system of apprenticeship. In that interval, the drafts of the proposed orders will be generally made known throughout the Colonies; and His Majesty's Government will not only admit, but will invite and weigh with all care such observations as they may call forth, and such suggestions as any person may be disposed to make for the improvement of their projected regulations. The Orders in Council will therefore not be promulgated without all the assistance which can be derived from those who are most conversant with the state and circumstances of the Colonies.

*For Mauritius read Seventeen Months.

The Commission, which His Majesty is authorized by Parliament to establish for distributing the Compensation Fund, will be constituted with all practicable expedition, and you will be placed at the head of the subordinate Commission which is to sit within the Colony under your government. On that subject you will be placed in direct communication with the Commissioners in this country.

The 61st clause of the Act, relating to the subject of religious toleration, will take effect immediately; and it may not be unnecessary that I should explain for your assistance, what are the motives which suggested the peculiar form of that enactment.

I am happy and prompt to acknowledge that religious teachers dissenting from the Established Church have hitherto enjoyed in a very large proportion of the Colonies, the utmost possible freedom in the discharge of the duty which they have undertaken. I have further to admit that the Colonial statute books are, with scarcely any exception, exempt from enactments restrictive of religious liberty. But on the other hand there are Colonies in which parts of the statute law of England on this subject have been adopted, or are considered to be in force. On this question much legal controversy has taken place. It has been sometimes

Despatch. (D.)

sometimes made a question whether the English statutes respecting dissenters from the Established Church did or did not apply to the Colonies. At other times, or in other places, it has been maintained that the Acts of Charles II., to the exclusion of those of William and Mary and Queen Anne, are alone incorporated into the colonial code; and again, high legal authorities have declared, that the colonial law recognized the whole series of English Acts on this subject, with the exception of that which was passed in the 52d year of Geo. III. But amidst these disputes I perceive that it is universally admitted that in the absence of positive statute, there is no restraint whatever on the freedom of religious instruction, the common law being absolutely silent on the subject. From these discussions it resulted, that in Colonies which had not adopted any part of the statute law of England respecting religious teaching or toleration, a freedom from restraint prevailed with which it was quite unnecessary for Parliament to interfere. It was to be presumed that this freedom had worked no injurious consequences, because the Assemblies had not sought to restrict it. There was therefore no motive for Parliamentary legislation. On the other hand, circumstances too notorious to demand a more particular notice, and which I therefore gladly pass over with this general allusion, demonstrated that in those Colonies in which the restrictive English statutes had been adopted, they had become instruments of persecution; and to meet the exigencies of society, arising out of the intended abolition of slavery, it was indispensable that Parliament should secure to the teachers of religion and to their disciples, the fullest opportunity of a free intercourse with each other. In those Colonies, therefore, it was thought necessary to superinduce, by Parliamentary authority, the recent English statute of Geo. III. upon those earlier English Acts which have been made the engine of such ill-advised and dangerous proceedings. This explanation will, I trust, enable you to judge to what extent the accompanying Act will affect the law of religious toleration in the Colony under your government.

I have, &c.

(signed) *E. G. Stanley.*

N. B. The words in *Italics* apply to Mauritius.

WHEREAS an Act hath been passed by His Majesty, with the advice and consent of the Lords Spiritual and Temporal, and Commons, in the Parliament of the United Kingdom of Great Britain and Ireland assembled, for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted slaves; and for compensating the persons hitherto entitled to the services of such slaves: And whereas it hath appeared to His Majesty expedient to adopt the most effectual measures for preventing any misapprehensions which might arise among any class of His faithful subjects, in the Colonies aforesaid [*in the Colony of Mauritius and its Dependencies*], respecting the effect of the said Act, and for allaying any excitement which might thereby be produced, His Majesty doth therefore hereby proclaim and make known to all His Majesty's subjects inhabiting the said Colonies [*Colony*], and to all others whom it doth or may concern, that until the first day of August [*February*], which will be in the year One thousand eight hundred and thirty-four [*five*], the laws at present in force in such Colonies respectively [*the said Colony of Mauritius and its Dependencies,*] for the government of the slaves therein, will remain in full force and effect and unaltered by the said Act of Parliament; and that upon and from the said 1st day of August 1834 [*February 1835*], all persons who shall then be duly registered as slaves in such respective Colonies, [*the said Colony of Mauritius and its Dependencies*], and who shall then be actually within the same, and who shall be of the full age of six years or upwards, will, by force and virtue of the said Act of Parliament, become apprenticed labourers in the service of the persons previously entitled to their services as slaves; and that the apprenticeship of such labourers will terminate on the 1st day of August 1840 [*February 1841*], or on the 1st day of August 1838 [*February 1839*], according to the nature and description of the employment in which such labourers shall be severally engaged as in the said Act set forth, and that such apprenticed labourers will, during such their apprenticeships, be bound by law to labour in the service of their respective employers, on such terms and conditions and for such limited periods of time, as by the said Act of Parliament, or by Acts hereafter to be made, and passed in such Colonies respectively [*any Order or Orders of His Majesty in Council hereafter to be made,*] are or shall be prescribed in that behalf: And His Majesty doth further proclaim and make known that, subject to such apprenticeship as aforesaid, all persons who on the said 1st day of August 1834 [*February 1835*], shall be holden in slavery within any of the Colonies aforesaid [*the said Colony of Mauritius and its Dependencies,*] will upon and from that day be absolutely and for ever manumitted and set free: And that from the 1st day of August 1834 [*February 1835*], slavery is and will be abolished and unlawful throughout the said Colonies, [*Colony of Mauritius and its Dependencies*]: And His Majesty doth further declare and make known, that His Majesty hath, in pursuance of the powers in him vested by the said Act of Parliament, constituted and appointed the Commissioners therein mentioned, for awarding to the proprietors of such manumitted slaves the compensation thereby provided for such proprietors. And His Majesty doth strictly charge and admonish all his faithful

faithful subjects within the said Colonies [*Colony of Mauritius and its Dependencies*], that they demean themselves submissively to the laws aforesaid, and especially that all persons now in the state of slavery in the said Colonies [*Colony*], do until the 1st day of August 1834 [*February 1835*], continue peaceably to perform the duties owing by them as such slaves to their respective masters as heretofore: And His Majesty doth hereby make known and declare his settled purpose and resolve, by all the powers and authority in him by law vested, to enforce due obedience to the laws in force, or which shall be so in force as aforesaid, within the said respective Colonies, [*Colony of Mauritius and its Dependencies,*] and to prevent, and if necessary to repress and punish all contraventions of the said laws: And His Majesty doth further command and require all governors, judges, justices of the peace, and other His Majesty's officers, civil and military, within the said Colonies [*Colony*], that they be, according to their respective offices and trusts, severally concurring in enforcing due obedience to the laws aforesaid: And His Majesty doth further command and enjoin all his faithful subjects of all classes, within the said Colonies [*Colony*], that they be yielding all due obedience to all the lawful commands of such His Majesty's officers in the premises, as they will answer the contrary at their peril.

Despatch (D.)

Given at Our Court at Westminster, this 4th day of September, in the year of our Lord 1833, in the Fourth year of Our reign.

GOD SAVE THE KING.

(E.)

CIRCULAR DESPATCH, addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions having Local Legislatures, enclosing the Draft of a proposed Order in Council for carrying into effect the Act for the Abolition of Slavery.

Despatch (E.)

This Despatch applies to Jamaica, the alterations in *italics* to the other Legislative Colonies. The words placed between brackets, thus, [My Lord], indicate the parts to be omitted in adapting it otherwise than to Jamaica.

[My Lord,] (*Sir,*) Downing-street 19 October 1833.

From the tenor of your [Lordship's] communications, as well as from information which I receive from other quarters, I am led to indulge the confident hope that the [Legislature of Jamaica is] (*Colonies under your government are*) about to apply [itself] (*themselves*) to the consideration of the great question of the Abolition of Slavery in a spirit of frank and cordial co-operation [corresponding with that in which the Imperial Parliament has confided the execution of the details of that measure to their legislative wisdom]. It is very far from my wish to seek in any degree to fetter the discretion which has been [thus] wisely vested (*by Parliament*) in the various Colonial Assemblies; their local knowledge, their practical experience, their intimate acquaintance each with the peculiarities of their respective laws, and with their adaption to the societies for which they are framed, give them advantages for the prosecution of such an undertaking which cannot be possessed by any colonial minister. But anxious as I am to offer to the Legislatures any assistance in my power towards carrying into effect the intentions of the British Parliament, I have felt myself called upon to draw out in some detail the heads of a plan, by which as it appears to me, that object may be accomplished, and which in its main features may be applicable to the different Colonies affected by the impending change. I have been the more desirous not to shrink from the fulfilment of this task, in order that His Majesty's Government and the British Parliament might not be open to the imputation of having imposed upon the Colonial Legislatures a hopeless or an impracticable duty. This plan has been drawn up as the draft of an Order in Council, and will be transmitted to the various Colonies for their consideration before its provisions are finally adopted in any. You[r Lordship] on the receipt of the present Despatch, will (*either by yourself or through the Lieutenant-Governors*) communicate the substance of the plan by message to the (*respective*) Councils and Houses of Assembly [of Jamaica] (*in the Colonies under your Government*) in such manner as you may deem most fitting, distinctly acquainting those bodies at the same time with the reasons which have induced its transmission, and with the light in which I am desirous that the communication should be [viewed] (*received*).

You[r Lordship] will not fail to observe that the whole of the proposed enactments, with the exception of that which has reference to a police establishment, presuppose, and have reference to, an intermediate state between slavery and freedom, termed by the British Statute "Apprenticeship." The establishment of a District Police may be considered as altogether independent of that state, as highly important with reference to the state of society which must ensue upon ultimate and unconditional freedom, and as meriting in itself the desirous attention of the Colonial Legislature. [I am happy to acknowledge that in this important branch

Omit.

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branch of the subject, I have mainly followed the course pointed out by the experience, and sanctioned by the approbation of the Legislature of Jamaica, engrafting upon their suggestions and applying to their objects the facilities for carrying them into effect, which the liberality of Parliament has afforded, by furnishing the means for the appointment of a stipendiary magistracy. To this part of the proposed plan, therefore, I cannot anticipate any opposition on the part of the Legislature of Jamaica; but I shall be disposed to consider with all due attention any provisions which they may deem better calculated for carrying into effect the objects sought to be attained.]

Omit.

In reference to the special magistrates to be appointed under the Act, you[r Lordship] will observe that although their peculiar and exclusive duties apply to the relations between master and apprentice, yet you[r Lordship is] (*are*) authorized, should you so think fit by granting a separate commission to each of these gentlemen, to confer upon them also the ordinary jurisdiction of a magistrate, wholly independent of, and surviving the condition of apprenticeship, and thus to distribute throughout the island a class of most valuable public servants at the expense of the Mother Country. This consideration leads me to the general question of apprenticeship, to the remaining provisions of the accompanying plan, and generally to the course which you[r Lordship] will consider yourself authorized to adopt in the event of various lines (*of conduct*) which may be pursued by the Legislature*s* of [Jamaica] (*the Colonies under your Government*).

I hold it to be unnecessary to trouble your Lordship with any comments upon the proposed enactments relative to the duties, condition, offences and [penalties] (*liabilities*) of the two parties standing towards each other in the relation of master and apprenticed labourer: the suggestions [here] made (*in the accompanying paper*) will sufficiently explain themselves, and it is unnecessary for me to repeat that it is competent to the local legislature to vary them in such manner as they shall deem expedient, consistently with the provisions of the Act of Parliament.

But a [possible case arises] (*case may be supposed*) in which the Assembly [may] (*might*) dispense with the system of apprenticeship altogether, or [may] (*might*) in other respects deviate from the conditions prescribed by Parliament, and in such a case you[r Lordship] will naturally be anxious for precise instructions as to the course which it may be your duty to follow. [While I am desirous, as far as it may be in my power, to meet this natural anxiety on your Lordship's part, your Lordship will be aware of the impossibility at this distance of anticipating every possible contingency; and you[r Lordship] may be assured that His Majesty's Government will rely with confidence upon the exercise of your usual discretion and judgment in whatever circumstances of unforeseen doubt or difficulty you may be placed].

Omit.

I will not anticipate the possibility (*of any*) of the assembly*-ies* refusing to enter upon the discussion of the question, and leaving the British Act of Parliament to come into unaided operation. Their plain and obvious duty, the paramount interest of society in whose welfare their own is involved, and, I am happy to add, the temper and good sense with which, so far as I can judge, they have received the proceeding of Parliament, forbid me to entertain [so (*such*) alarming] an apprehension. But it is possible that while they may pass Acts, fully in accordance with the spirit and intention of Parliament, they may take a different view of some of the details, and may decline to treat some of the points submitted to their consideration. On these points, therefore, it becomes my duty to give you such instructions as may leave you exposed to the least possible difficulty.

In effecting, throughout extensive dominions of the Crown, so vast a change as that from slavery to freedom, His Majesty's Government, and Parliament agreeing in their views, deemed it indispensable to provide for a transition state, of longer or shorter duration, but of which they fixed the maximum, during which the present master and slave should continue bound to each other by mutual obligations, securing the one a limited portion of labour, and to the other a certain maintenance and protection, and the principal object of these enactments was to make temporary provision for the continued cultivation of the soil and good order of society, until all classes should gradually fall into the relations of a state of freedom. Of the obligations of this intermediate condition some were directly imposed by Parliament, some were by the same authority expressly forbidden to be imposed, others again were left within certain limits to be fixed by the local legislatures. But as these legislatures were expressly authorized to fix the term of this apprenticeship, provided it did not exceed a certain duration, so it is clearly

Despatch (E.)

clearly within their province, should they deem it safe and prudent so to do, to dispense with it altogether, and to pass at once to a state of unrestricted freedom. I do not anticipate the probability, and I should be disposed to doubt the prudence of such a course; but in the event of [such a decision being come to, your Lordship,] (*any of the Assemblies in the Colonies under your Government coming to such a decision, you*) will not on that account hold yourself bound to refuse your assent to the Act (*which such Assembly may pass*) as being repugnant to the Act of the Imperial Parliament. But you will distinctly understand, that you will not be authorized to give your assent to any Act creating an intermediate state of a different description or subjected to restrictions of a different nature from those contemplated by Parliament. The term of apprenticeship may be shortened, the hours of compulsory labour may be fewer, the burthens imposed may be made lighter; but no distinctions must be allowed to be drawn between those at present free and those at present slaves, of a different character from, or to a greater extent than those which have been sanctioned by Parliament. [But if, as is possible, your Lordship should have any doubt how far the proposed Act should come within the scope of these instructions, you will give to the legislature the benefit of the doubt, if at the time at which it should be brought up to you, will allow of your reserving it for the signification of His Majesty's pleasure before the period when it would come into operation. As your Lordship will consider yourself as precluded by your instructions from sanctioning any Act which may prolong the duration of the intermediate state, or impose any heavier burthens upon those who are in that state, so your Lordship will also withhold your assent from any Acts which may be passed perpetuating or continuing after the termination of that period any distinctions or exclusions arising out of a previous servile condition. For example, should a law be passed requiring that hereafter no person should serve on a jury, or should be hereafter enrolled in the militia, who should not be possessed of a certain pecuniary qualification, such a law might be well adapted to the altered circumstances of the Island, and your Lordship might be fully justified in assenting to it. But if a law were passed enacting that all persons who should hereafter become free should in those respects be placed upon a different footing from the rest of the community, except so far as is authorized by the 22d section of the Act of Parliament, your Lordship would refuse your assent to the Act, as perpetuating a distinction founded on the existing state of slavery.]

Omit.

[Your Lordship will not withhold] (*You will not however withhold*) your assent from any Act which may be passed, merely on account of its omitting to provide for some of the points specified in the British statute. It may become a question for the consideration of His Majesty's Government and Parliament, how far such an omission may disqualify the [Island of Jamaica] (*particular Colony which has sanctioned the omission*) from claiming her share of the Compensation Fund, how far the grounds for such omission may be good and valid, or how far such a deficiency may be supplied by the positive enactment of the Imperial statute, which in so far as such provisions were concerned would not be suspended, pursuant to the 23d section. But you[r Lordship] may rest assured that with respect to the first point, Parliament will be disposed to place the most fair, candid and liberal construction upon the Acts which may be passed, provided that they bear upon the face of them a real and sincere desire to act up to the spirit and intention of the British Parliament and people.

It will not have escaped your [Lordship's] observation, that [in deference to the anxious wish expressed upon the part of many gentlemen connected with Jamaica, and to the feelings of the Legislature on that particular point,] Parliament (*in accordance with the confidence it has reposed in the Colonial Legislature*) has abstained from imposing any obligations to insert in the Colonial Acts a suspending clause; but you[r Lordship] will I am sure see, and I trust be able to impress upon the Legislature the importance of giving to any Act which they may pass, a period of commencement sufficiently distant to enable a communication to pass between the island and this country before it should actually come into operation. It is possible also that some difficulties may be obviated, and some facilities afforded for amendment, by not including the whole of the provisions to be made in a single Act, but so dividing them as that if His Majesty should be compelled to disallow any particular provision, the remainder of the system might nevertheless come into undisturbed operation. I throw this out, however,

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however, as a suggestion for your [Lordship's] and the Assembly's consideration, rather than as an instruction for your [Lordship's] guidance.

I have thus endeavoured to point out to you[r Lordship] generally the principles upon which you[r Lordship] will be guided in assenting to, or rejecting any Bills which may be proposed for your approval; and I trust they will be sufficiently precise to guide the exercise of your [Lordship's] discretion. [I trust earnestly that the course which may be pursued by the Assembly may be such as to relieve you[r Lordship] from all embarrassment, to satisfy the anxious desires of the British people, and by removing the cause of dissension and jealousy for so many years, at once to give a more healthy tone to the condition of the[ir] internal society (*of the Colonies*), and to acquire a new title to the good-will and protection of the Mother Country.

For Bermuda the last sentence omitted.

I have, &c.

(signed) *E. G. Stanley.*

(F.)

CIRCULAR DESPATCH, addressed by Mr. Secretary *Stanley* to the Governors of His Majesty's Colonial Possessions not possessing Local Legislatures, enclosing the Draft of a proposed Order in Council for carrying into effect the Act for the Abolition of Slavery.

Despatch (F.)

Sir, Downing-street, 19 October 1833.

IN my Circular Despatch of the 5th September last, I intimated to you, that although the Act for the Abolition of Slavery had, as respects those Colonies which are subject to the legislative authority of His Majesty in Council, referred to His Majesty in Council the duty of supplying, by local enactments, all subordinate details necessary for completing the important measure contemplated by the Act, yet that this course was not suggested from any distrust of the legislative bodies existing in those settlements, but for the purpose of showing that the problem proposed of regulating the relations of the apprenticed labourers to their employers and the State admitted of solution, and that the condition upon the performance of which the right to participate in the Compensation Fund granted by Parliament was made to depend, was not impossible. I further stated, that in the first instance drafts of the proposed Orders in Council would be generally made known throughout the Colonies, and that His Majesty's Government would invite observations and suggestions for the improvement of their projected regulations.

In conformity with the intentions expressed in the Despatch to which I have referred, I have now the honour to transmit to you the draft of an Order in Council for the Colony of British Guiana, copies of which will also be transmitted to the other West India Colonies for their consideration.

I sent to you with a confident hope, encouraged by the recent information which I have received from yourself and from other quarters, that the Legislative Council of the Colony of will apply itself to the consideration of this important subject in a spirit of frank and cordial co-operation.

Upon the receipt of this Despatch you will, without delay, communicate the accompanying draft to the Legislative Council of acquainting that body at the same time with the reasons which have induced its transmission, and with the light in which I am desirous it should be viewed. You will further inform that body, that, appreciating as I do the advantages which they possess for the prosecution of an undertaking of this nature in their local knowledge, their practical experience, their intimate acquaintance with the Negro character, and with the habits and peculiarities which the existing relations of society in the Colony have necessarily engendered. I earnestly hope that the Legislative Council (or Court of Policy) will address themselves promptly and cordially to the preparation of an Ordinance calculated to develope and carry into effect the plan sketched out in the accompanying draft, with such alterations and modifications as may appear to them to be necessary or advisable.

Whilst I impose this arduous duty on the Legislative Council of I cannot but be desirous of giving them as great a latitude of discretion as the Act of the British Parliament will permit. At the same time, I should sincerely regret if, in the exercise of that discretion, the Legislative Council should frame an ordinance which His Majesty would feel himself unable to confirm, and which might fail to entitle the Colony of to their share of the Compensation

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pensation Fund. I feel it my duty, therefore, to enter into some explanation upon this point, and to give you such instructions as shall, in a great degree, relieve yourself and the Legislative Council from uncertainty on this subject.

On effecting throughout extensive dominions of the Crown so vast a change as that from slavery to freedom, His Majesty's Government (and Parliament agreeing in their views) deemed it indispensable to provide for a transition state, of longer or shorter duration, but of which they fixed the maximum, during which the present master and slave should continue bound to each other by mutual obligations, securing to the one a limited portion of labour, and to the other a certain maintenance and protection; and the principal objects of these enactments was to make temporary provision for the continued cultivation of the soil, and good order of society, until all classes should gradually fall into the relations of a state of freedom. Of the obligations of this intermediate condition, some were directly imposed by Parliament, some were by the same authority expressly forbidden to be imposed; others again were left within certain limits, to be fixed by the local legislatures. But as these legislatures were expressly authorized to fix the term of this apprenticeship, provided it did not exceed a certain duration, so it is clearly within their province, should they deem it safe and prudent so to do, to dispense with it altogether, and to pass at once to a state of unrestricted freedom. I do not anticipate the probability, and I should be disposed to doubt the prudence of such a course; but in the event of the Legislative Council coming to such a decision, you will not on that account hold yourself bound to refuse your concurrence in an ordinance framed upon that principle, as being repugnant to the Act of the Imperial Parliament. But you will distinctly understand that you will not be authorized to consent to any ordinance creating an intermediate state of a different description, or subjected to the restrictions of a different nature from those contemplated by Parliament. The term of apprenticeship may be *shortened*; the hours of compulsory labour may be *fewer*; the burthen imposed may be made *lighter*; but no distinctions must be allowed to be drawn between those at present free, and those at present slaves, of a different character from, or to a greater extent than those which have been sanctioned by Parliament. As you will consider yourself precluded by your instructions from sanctioning any ordinance which may prolong the duration of the intermediate state, or impose any heavier burthens upon those who are in that state, so you will likewise withhold your sanction from any ordinance perpetuating or continuing after the termination of that period, any distinctions or exclusions arising out of a previous servile condition.

I must further observe, that it is of great importance that in any ordinance which the local legislature may pass in pursuance of this Despatch, its period of commencement should be made sufficiently distant to enable the decision of His Majesty upon such ordinance to be sent to the Colony before it should actually come into operation. It is possible, also, that some difficulties may be obviated and some facilities afforded for amendment, by not including the whole of the provisions to be made in a single ordinance, but by so dividing them as that if His Majesty should be compelled to disallow any particular provision, the remainder of the system might nevertheless come into undisturbed operation. I throw this out, however, as a suggestion for the consideration of yourself and the Legislative Council, and not as an instruction for your guidance.

Although you will fully understand from this Despatch, that I attach the greatest importance to the active co-operation of the local legislature and to their preparation of such an ordinance as I have pointed out; yet it seems to me not impossible that the Legislative Council might prefer to send me their suggestions on the intended plan, and their proposed modifications of its provisions, in the form of a report, leaving to His Majesty's Government the task of preparing a definitive Order in Council on the subject. If this should appear to the Legislative Council to be the more convenient course of proceeding, I shall not object to their adoption of it. I shall give my most attentive consideration to such a Report as the Legislative Council may transmit to me; and I shall cheerfully undertake the increased labour and responsibility which will thus result to me.

I have only to add, that I trust that the confidence which His Majesty's Government have thus reposed in the Legislative Council of will induce that body to act upon this occasion in unison with the feelings and wishes of the Imperial Parliament and the British people; and I earnestly trust, that the participation of the colonists of in the great work of emancipation,

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emancipation. may acquire for them the gratitude of the Negro population, and may give them a new title to the good-will and protection of the Mother Country.

I have, &c.
(signed) *E. G. Stanley.*

Enclosure in (E.) and (F.)

Enclosure in (E.) and (F.)

Downing-street, 19 October 1833.

The object of the following pages is to bring into one view the various legislative measures which yet remain to be taken, to carry into effect the Act for the Abolition of Slavery in the British Colonies, 3 & 4 Will. IV. c. 73. Those measures must be taken by the Governors, Councils and General Assemblies, in the Colonies possessing representative legislatures, and may be taken either by His Majesty in Council or by the local legislatures in the Colonies which are subject to His Majesty's legislative authority. Without agitating the question, from which of those two sources the laws to be established in the Crown Colonies would more properly emanate, it may be sufficient for the present purpose to say, that this paper is drawn up on the supposition that orders will be made by the King in Council, for establishing the proposed new code in the various Colonies in which houses of General Assembly do not exist. With a view to perspicuity, however, the proposed enactments are framed in reference only to British Guiana. They would, of course, require material changes to adapt them to other Colonies.

It may be convenient to notice that the different provisions suggested in the following pages, are exhibited not in the form which they must assume if promulgated as legislative enactments, but in a more popular and compendious style, which, if less precise, will probably be found more perspicuous and intelligible. They are described as chapters, and not as distinct orders; since it may, perhaps, be thought advantageous to exhibit the whole code rather as one law than as detached and separate laws. By this method some tautology and repetition will be avoided. It is to be added that there are various minor and subordinate provisions, which are purposely omitted with a view to brevity, but which would be supplied if this draft were assumed as the basis of actual legislation.

The proposed Order in Council for British Guiana, would be divided into twelve chapters, of which it may be desirable to state the titles at the outset. They would be as follows:—

Cap. I.—On the judicial and ministerial Agency to be employed.
Cap. II.—On the procedure to be observed by the special Magistrates in the exercise of their jurisdiction.
Cap. III.—On the division of apprenticed Labourers into their respective classes.
Cap. IV.—On the maintenance of the apprenticed Labourers.
Cap. V.—On the duties to be performed by the apprenticed Labourers, and the penalties for their non-performance.
Cap. VI.—On the duties to be performed by the Employers towards their apprenticed Labourers, and the penalties for their non-performance.
Cap. VII.—On offences which may be committed by the apprenticed Labourers against the State, and the punishment of such offences.
Cap. VIII.—On the dissolution of the Apprenticeship by contract or purchase.
Cap. IX.—On the removal of prædial apprenticed Labourers from one plantation to another.
Cap. X.—Of the Apprenticeship of Children.
Cap. XI.—On the alienation by sale, inheritance or will, of the services of apprenticed Labourers.
Cap. XII.—On the relation in which the apprenticed Labourers will stand towards the State.

Cap. I.—On the Judicial and Ministerial Agency to be employed.

The execution of the new law is expressly confided by Parliament to the special justices of the peace mentioned in the fourteenth section. Each of those officers must, of course, have certain limits assigned for the exercise of his jurisdiction, and for that purpose the Colonies must be divided into judicial districts. It must be left to the Governors to make such divisions. The requisite topographical knowledge would be sought in vain in this country.

An effective police establishment is of the very essence of the whole measure. It may, however, be safely said, that in none of the Colonies does such a police at present exist. To devise a scheme of police for a remote country, might seem a hopeless enterprise, but from the assistance to be derived from the Jamaica Police Act of 1831, which was a measure devised by the highest of all the local authorities. In favour of that scheme may therefore be repeated all those arguments which are usually employed to establish the superiority of Colonial to English legislation on colonial affairs. Independently of that consideration, the scheme itself appears to offer every promise of efficiency and economy. It is, in general, developed in the suggestions which follow under the present head.

It is not, however, merely officers of police, but places of imprisonment or safe-custody in the rural districts, which are required, in order to render the new law effectual. Hitherto each

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each separate plantation has had its ergastutum. Hereafter prisons must be provided under the charge of public officers. To obtain places of residence for the special magistrates, will also be no light difficulty. The want of such abodes, and the impossibility of hiring them, defeated the plan of establishing a system of protectors in the country parts of Guiana. The scheme projected by the Assembly of Jamaica suggests, as will be seen, the means of obviating each of these difficulties; not indeed without a serious expenditure, which in such undertakings as the present is absolutely inevitable, but at a rate of expense much below what would be required on almost any other plan. With these preliminary remarks the following outline may perhaps be sufficiently intelligible.

1.—The Colony of British Guiana shall be divided into not more than eight judicial districts.

2.—The Governor shall by proclamation define, and, as occasion may require, shall alter the limits of such districts.

3.—One special justice shall be appointed to each of the before-mentioned districts.

4.—In each district shall be set apart a tract of land, which, with the buildings to be erected thereon, shall be called the Police Settlement of the District.

5.—Every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district.

6.—The Governor shall appropriate, for the formation of the police settlements, any waste lands of the Crown which may be situated conveniently for that purpose; and in districts where such Crown lands cannot be found, shall, by exchange, or, if necessary, by purchase, procure the lands wanting for the purpose.

7.—At the first formation of any such police settlement, the members thereof, assisted by such hired labourers as may be indispensable, shall be employed in the erection of temporary buildings for their own occupation; such buildings to be hereafter superseded by more permanent buildings to be erected by the means subsequently mentioned.

8.—At each police settlement shall be erected a house of correction.

9.—At each police settlement shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.

10.—The members of the police settlement when not engaged in actual service as policemen, and the penal gang aforesaid, under their direction, shall be employed in the erecting or repair of the buildings at each such police settlement.

11.—Every such police settlement shall be placed under the immediate superintendence of the special Justice of the district, who shall reside thereat, or in the immediate vicinity thereof.

12.—Each police settlement shall consist of one serjeant and ten privates, all being able-bodied men, between the ages of 20 and 50 years.

13.—The serjeant and privates of each police settlement shall be appointed by the Governor, and shall be liable to be removed by him for bad conduct or inefficiency.

14.—The serjeants and privates shall be liable to be suspended from office by the special Justice of the district, subject to the Governor's confirmation or disallowance of such suspension.

15.—As often as the special Justice of the district shall so direct, the penal gang before mentioned shall, under the superintendence of the serjeant, or, in his absence, of some other member of the police, be employed in any laborious works upon the provision grounds of the police settlement, either for the support of the prisoners at such settlement, or towards the general maintenance of the establishment.

16.—The special Justice shall, once in each quarter, make to the Governor a report of the effective strength and condition of the police force at each settlement; and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

17.—The Governor shall from time to time establish all necessary rules for the internal discipline of the said police settlements, for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules.

18.—The serjeant and privates of each police settlement shall be annually provided with a uniform, and with such weapons and accoutrements as may best be adapted to the service in which they are to be engaged.

19.—The privates in each settlement shall receive pay, at the rate of per diem; and the serjeant shall be paid at the rate of

20.—As vacancies occur, privates shall for good conduct be promoted to be serjeants.

21.—It shall be the duty of the serjeant and the privates to carry into execution such orders as they shall receive from the special Justice for the prevention or repressing of crimes, and for enforcing obedience to the law.

Cap. II.—On the Procedure to be observed by the special Magistrates in the exercise of their Jurisdiction.

The Act of Parliament having determined how the special Magistrates shall be appointed, and having given to them an exclusive cognizance of all matters incident to, and arising out of the relation of apprenticed labourers and their employers, it remains to lay down the necessary rules for the exercise of that jurisdiction. It is only necessary to premise, that in the discharge of such a trust many difficulties will occur which cannot be effectually obviated

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obviated except by foresight in the Legislature, and which such foresight may either surmount entirely, or render insignificant.

1.—Every special Magistrate shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

2.—Every such Magistrate shall one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him.

3.—Every such Magistrate shall once in each fortnight, or oftener if need be, repair to such plantation within his district upon which ten or any greater number of apprenticed labourers shall be employed, there to take cognizance of such cases as may be brought before him.

4.—Every such special Justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2dly, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which he may think desirable.

5.—All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor.

6.—At the end of each quarter, the special Justice shall transmit to the Governor a duplicate of his journal for the preceding quarter, with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such special Justice, during the quarter to which it refers.

7.—Until the Governor shall have actually received the duplicate journal so verified as aforesaid, he shall not be at liberty to pay the salary of the Justice for that quarter.

8.—On receiving any complaint, it shall be the duty of the special Justice to reduce it to writing, and to cause it to be read by, or to read it over to, the complainant, by whom it shall then be subscribed.

9.—If the complaint shall appear to the Justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

10.—Upon taking any complaint, to the truth of which such oath shall have been so made, the special Justice shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A.) and the summons in the form annexed, marked (B.)

11.—The warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the Justice is to proceed, in the first instance, by summons.

12.—In cases in which it may be necessary to adduce witnesses in support of, or in answer to any such complaint, the Justice shall issue a summons to every such witness, in the annexed form, marked (C.)

13.—At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the Justice shall, in the presence of all parties first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

14.—The Justice may, from time to time, adjourn any such proceeding for further inquiry, and if necessary, commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such commitment or bail shall be in the annexed forms, marked (D. & E.)

15.—At the close of such proceedings, the Justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand.

16.—By any such decision the Justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial for the imputed offence.

17.—If the complaint shall be dismissed, the Justice shall, in such his written decision, state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

18.—If any such complaint shall be so dismissed as frivolous and vexatious, the Justice may adjudge the complainant, if a labourer, to work in the service of his employer, for any time not exceeding in the whole 15 extra hours in any one week; or if the complainant be the employer, the Justice may adjudge each employer to the payment of a penalty for the use of the labourer, of not less than 20*s.* and not greater than 5*l.*

19.—If any such complaint shall be so dismissed as malicious, it shall be competent to the Justice, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour, for any time not exceeding one month; or, if the employer of any such labourer, to a fine not exceeding 40*s.* for the benefit of the party

party charged, which judgment shall be a bar to any suit, action or prosecution, against such complainant for calumny, defamation, or otherwise, in respect of such his complaint. Enclosure in (E.) and (F.)

20.—If the Justice shall by such his decision, convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious, or a malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (F. G. H.)

21.—If such Magistrate shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (I.)

22.—Upon any such conviction as aforesaid, by such special Justice, he shall forthwith issue a warrant for the execution thereof, which warrant shall be in the form annexed, marked (K.)

23.—All summonses, warrants, commitments and other orders so to be issued by any such Justice as aforesaid, shall be executed by the police officers of his district—such Justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with, or instead of such officers of police, as to him may seem requisite.

24.—Any summons, warrant or order issued by any such special Justice within his own district, may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

25.—If any person summoned by any such Justice as a witness shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such Justice in relation to the matters depending before him, it shall be lawful for such Justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest or commitment shall be in the form annexed, marked (L. & M.)

26.—If it shall be made to appear to the satisfaction of the Governor, that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the Justices of the several districts within the Colony, or of any one or more of such districts; or that they impede or interfere with the prompt and effective execution of the law, the Governor shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law, and for that purpose to issue proclamations, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

27.—If any suit or action shall be commenced against any special Justice, in respect of any act, matter or thing by him done by virtue and in pursuance thereof; and if the Court shall give judgment for the defendant, the plaintiff shall by such judgment be condemned to pay treble costs of suit.

28.—If in any such suit or action such Justice shall, at any time before final judgment tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought and submit to pay the costs of suit up to that time incurred; and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the Court at the trial of such suit, that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

29.—No suit or action shall be brought against any such Justice in respect of any matter or thing by him done under or in pursuance hereof, unless the same shall be commenced within six months after the cause of action occurred.

Cap. III.—On the Division of apprenticed Labourers into their respective Classes.

The fourth section of the Act requires the division of the apprenticed labourers into the three classes of prædial attached, prædial unattached and non-prædial; and this distribution is supposed or assumed in all the subsequent clauses. The question to be solved is, how it shall be ascertained in reference to each individual to which of the three classes he belongs. The following suggestions for that purpose are framed not without a constant reference to the single rule laid down by Parliament respecting it, that no person above the age of twelve shall be included in the class of prædial apprentices, unless for twelve months before the date of the Act he had been habitually employed in prædial labour.

1.—By a day to be appointed for that purpose, the Registrar of Slaves shall deliver to every owner of slaves, a list of the slaves appearing in the registry to belong to him, for which a fee of 2*s.* only shall be charged.

2.—By a time to be fixed for the purpose, every such owner of slaves shall return such list to the Registrar, distinguishing in reference to each slave therein mentioned to which of the three classes he belongs.

3.—To every such return shall be annexed an affidavit to the effect that the distinctions therein made correspond with the occupations usually pursued for twelve months next preceding the date of the Act, by each of the slaves to whom such returns may refer.

4.—If in any case the Registrar shall see cause to doubt the accuracy of the return, he shall appoint a time and place at which the owner shall attend him to substantiate the accuracy of such return.

5.—At the time and place so to be appointed, the person to whom such notice shall be addressed shall attend such Registrar, and if required shall bring with him any slave respecting whom any such doubt may have arisen.

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6.—The Registrar shall then proceed to examine the person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return; and may, if necessary, adjourn such examination from time to time.

7.—The Registrar shall then either confirm or correct any such return as he may see fit, giving notice to the party making such return, and to the slaves respectively, of such his decision.

8.—If either the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the Registrar, such party may on his own behalf, and the Registrar may on the behalf of such slave, apply to the chief or to any other Judge of the superior court in such Colony by petition, setting forth the nature of such decision and the objections thereto.

9.—The Judge to whom any such petition may be preferred shall proceed in a summary way to hear and to decide upon the same, and his decision shall be final and conclusive.

10.—The Judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition in the manner which may be most conducive to method, punctuality and dispatch.

11.—When such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry the letters P. A.; of each prædial unattached slave, the letters P. U.; and of each non-prædial slave, the letters N. P.

12.—During the continuance of the apprenticeship the slave registry so corrected as aforesaid shall be deposited amongst the records of the superior courts of the Colony: and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

13.—Any person neglecting or omitting to make the return or the affidavit before mentioned, or to attend the Registrar when summoned by him for that purpose, shall incur a penalty of not more than 10*l.* nor less than 20*s*,; and in the event of the wilful absence of any such person, it shall be lawful for the Registrar to proceed and to decide any such question as though such party had attended.

Cap. IV.—On the Maintenance of the Apprenticed Labourers.

Under the 11th clause of the Act the rules of law at present regulating the maintenance of slaves are to apply to the case of apprenticed labourers. In Colonies where such rules exist, nothing remains to be done on this subject, except to denounce penalties for disobedience to, or neglect of the law. But in those Colonies where slaves are maintained, not by the supply of provisions, but by the allotment of ground, it will be necessary to regulate the quantity and the situation of such ground, and to determine what portion of time is to be deducted for that purpose from the forty-five hours of weekly labour to which the employer is entitled.

In the Crown Colonies these matters have been regulated partly by the Order in Council of November 1831, and partly by certain supplementary regulations which the Governors were authorized to establish. It is proposed, therefore, to transcribe, in form of a quotation or preamble, the law of Guiana respecting the supplies and provision grounds as modified by the late Governor, and to declare all such rules applicable to the case of apprenticed labourers, transferring only to the special Justice the powers at present exercised by the Protector for ensuring obedience to such laws.

Cap. V.—On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their Non-performance.

The principal dangers to be apprehended are—1st, indolence; 2d, neglect of work; 3d, the improper performance of work; 4th, injury to the employer's property; 5th, insubordination and disobedience to the lawful commands of the employer. It is against these dangers, therefore, that the penalties of the law must be directed. The rules established by Parliament under this head are merely negatives. They are—1st, that the punishment must not be inflicted by the authority of the employer himself; 2d, that in the case of females the punishment of whipping must not be employed; 3d, that the offences of apprenticed labourers against their employers must be inquired of only by Magistrates holding special commissions; 4th, that the prolongation or renewal of the apprenticeship must not be included in the list of punishments, to which rule, however, a qualification has been added, to the effect, that in the event of labourers absenting themselves from their employer's service, they may be compelled to make satisfaction to the employer for the time so abstracted, during any period not exceeding seven years from the termination of the apprenticeship; 5th, that no extra labour shall be imposed as a punishment for more than fifteen hours in a week; 6th, that no apprenticed labourer shall be required to work on a Sunday, except in certain excepted cases. It is therefore proposed to enact as follows:

1.—For every hour in which any labourer shall absent himself from his employer's service without reasonable cause, he shall be compelled to serve two extra hours, provided that such extra hours shall not exceed fifteen in the whole in any one week.

2.—Any apprenticed labourer absenting himself without reasonable cause for more than seven and a half hours in any one week, shall be adjudged a deserter.

3.—Any

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3.—Any apprenticed labourer absenting himself without reasonable cause for two days during one week, shall be adjudged a vagabond.

4.—Any apprenticed labourer absenting himself without reasonable cause for more than six days in any one week, shall be adjudged a runaway.

5.—The reasonableness of the cause of absence shall, in each case, be decided by the special Justice.

6.—Apprenticed labourers adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes, not exceeding fifteen; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding thirty.

7.—Any apprenticed labourer convicted of performing his work indolently, carelessly or negligently, shall, for the first offence, be adjudged to labour in his employer's service for any time, not exceeding fifteen hours in the whole (in any one week); for the second offence, to confinement with hard labour, for any time not exceeding one week; for the third, or any subsequent offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding twenty stripes.

8.—Any labourer who by the careless use of fire shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer intrusted to his care, or who shall ill-use the cattle or other live stock of his employer, or who shall by wilful negligence expose his employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the Justice, either to extra labour in his employer's service for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty lashes, or to any two or more of such punishments. Provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or omitted, although no such labourer shall be liable to be so sued or prosecuted, both under this order and under such general law as aforesaid.

9.—Any apprenticed labourer who shall contumaciously disobey the lawful commands of his employer, shall be liable to any one or more of the punishments last aforesaid.

10.—Any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers, shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping, not exceeding thirty-nine stripes.

11.—Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, shall, on conviction, be adjudged to the punishments last aforesaid, or any one of them.

12.—Any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer or any person in the immediate superintendence of his labour, shall, for every such offence, be liable on conviction to imprisonment with hard labour for any time not exceeding one week, or to whipping not exceeding fifteen stripes.

13.—Provided always, that no woman shall be subject to be punished by whipping for any offence by her committed; but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks, or by distinguishing marks or dresses. The stocks to be employed for that purpose shall all be according to one general model, to be sanctioned by the Governor, and no female shall for any offence by her committed be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence.

14.—All the offences aforesaid shall be inquired of by the Magistrates having special commissions, and not by any other Justice of the Peace. But any such special Magistrate may, if he shall see occasion, refer any such case for trial, to the superior court of the Colony.

CAP. VI.—ON THE DUTIES TO BE PERFORMED BY THE EMPLOYERS TOWARDS THEIR APPRENTICED LABOURERS; AND THE PENALTIES FOR THEIR NON-PERFORMANCE.

1.—IF the employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of 1*s.* in respect of every hour which such service shall be protracted.

2.—It shall be the duty of every such employer to intimate to the labourers in his employment, the commencement and the close of the legal hours of labour; for which purpose a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved by the special Justice of the district; which signal shall always be of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such person.

3.—No apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

 4.—Every

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4.—Every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall, by such employer, be reduced into writing and entered in a book to be kept for that purpose on the plantation; which book it shall be the duty of the special Justice to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

5.—No contract between the employer and the prædial apprenticed labourer for the performance of any such specific or task work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties, in the presence and with the approbation of such special Justice of the Peace, or unless having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days. And every such approbation of any such contract shall, by such special Justice, be attested under his hand in the book so to be kept as aforesaid.

6.—It shall be the duty of the special Magistrate, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7.—In every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8.—No contract for such extra service as aforesaid shall continue in force for more than one year, from the day of the date thereof.

9.—Upon proof being made, to the satisfaction of such special Justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such Justice, and he is hereby authorized to award execution against such employer for the amount of such consideration; and if the same shall not be paid within one week next after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be respectively in the forms annexed, marked (N. & O.)

10.—Such execution and attachment as aforesaid shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell so much of the produce, utensils and other chattels as may be found upon such plantation, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11.—Any apprenticed labourer violating the terms of such contract, as aforesaid, for task-work or for extra service, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer.

12.—Every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts, as aforesaid, for task-work or for extra service.

13.—If any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall, by way of punishment commit any assault upon his person, such employer shall incur a penalty to be imposed by such special Justice as aforesaid, not exceeding 5*l.* with imprisonment for any time not exceeding one month in default of the payment of such fine.

14.—In any such case as last aforesaid, it shall be competent to any such apprenticed labourer, instead of preferring his complaint to such special Justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to such special Justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before any court having jurisdiction in the premises. If any such employer shall be convicted before any court of competent jurisdiction of any cruelty towards his apprenticed labourer, or if any such employer shall be twice convicted of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer shall be discharged from his apprenticeship by order of the Court before which such conviction shall be had.

Cap. VII.—On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.

The peace and good order of society will be endangered by the apprenticed labourers considered as a distinct class, in one or other of the five following modes: 1st, by riot; 2d, by marronage; 3d, by the desertion of helpless children; 4th, by settling upon lands without any legal title; 5th, by the desertion of the Colonies to which they belong. The following proposed enactments are intended to counteract these various dangers.

1.—If any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any Justice of the Peace who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present, to separate and disperse quietly.

2.—All persons who, at the expiration of ten minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment with hard labour, for any time not exceeding twelve months.

3.—No

Enclosure in (E.) and (F.)

3.—No labourer shall reside beyond the limits of the district in which he may be resident on the 1st of August next, unless either by the authority of his employer or with the consent in writing of the special Justice of such district.

4.—Every labourer found beyond the limits of the district to which he belongs, except in his way to and from market, or to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special Justice of the district, shall be liable to be apprehended and detained, and shall, on conviction, be adjudged a vagabond, and punished accordingly.

5.—Any apprenticed labourer who shall for seven days or upwards absent himself from his employer's service without reasonable cause, to be allowed by the special Justice of the district to which he may belong, shall by such special Justice be adjudged a runaway, and shall be sentenced to three months' imprisonment and hard labour, or, if a male, to whipping not exceeding thirty-nine stripes.

6.—If it shall be made to appear to the satisfaction of any special Justice that any apprenticed labourers have, without lawful authority, established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such Justice of the Peace shall cause any such community to be dislodged, and, if necessary, shall also cause their habitations to be taken down and removed.

7.—Any labourer convicted of having been a member of any such community shall be liable to imprisonment with hard labour for any term not exceeding six months, and, if a male, to whipping by any number of stripes not exceeding thirty-nine.

8.—All officers and privates of the Colonial Militia shall be aiding in carrying into effect any directions which may be issued by any such special Magistrate as aforesaid for dislodging any such community as aforesaid.

9.—If any apprenticed labourer, being in good health and able to work, and being the father of a child under the age of twelve years, shall not make adequate provision for the subsistence of such child, it shall be lawful for any special Magistrate to adjudge any such labourer to hard labour, and to apply the earnings of such labourer towards the support and maintenance of any such child.

10.—For the purpose last aforesaid, such special Justice may hire out the labour of any such father to any person who may be willing to agree for the same, or to labour on any public works, on the best terms which can be procured.

11.—Such compulsory labour as aforesaid shall not be continued longer than may be necessary to provide for the maintenance of the child of such labourer for one month in advance.

12.—In case any such child, so unprovided for as aforesaid, shall have no father living, then the regulations aforesaid shall apply to the mother of such child, if alive, and competent by her labour to provide for the maintenance of such child.

13.—All the penalties before denounced in case of indolence, neglect of work, or otherwise, in respect of labour performed by the apprenticed labourers in the service of their employers, shall apply to the case of labour undertaken for the maintenance of any such child as aforesaid, by virtue of any such order as aforesaid.

14.—If any labourer shall, without lawful authority, enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any special Justice to dispossess such labourer from such land, and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then the special Justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the Public Treasurer of the Colony.

15.—The summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

16.—The special Justice may further adjudge any apprenticed labourer, unlawfully taking possession of such land, to imprisonment with hard labour for any time not exceeding three months, if it should be made to appear to his satisfaction that such possession was taken fraudulently and with knowledge that the party had no lawful claim to such possession.

17.—No apprenticed labourer shall quit the Colony except without a passport from the Governor, which passport shall not be granted except with the written consent of the employer.

18.—Any labourer quitting, or attempting to quit the Colony without such passport, shall be liable to imprisonment with hard labour for any term not exceeding six months.

19.—All persons whose ordinary occupation is on the sea, or on any navigable stream as fishermen or mariners, shall be registered as such at the office of the special Justice of the district; and any apprenticed labourer engaging in such occupation, without being first so registered, shall be liable to imprisonment with hard labour, for any time not exceeding three months.

20.—All vessels and boats not registered under the Navigation Acts shall be registered at the office of the special Justice of the district, with whom shall be entered the description of the vessel or boat, the name of the owner and the place at which the same is usually moored.

 21.—No

Enclosure in (E.) and (F.)

21.—No person shall keep a vessel or boat so registered, except by a license from the Governor.

22.—All licensed owners of such boats or vessels shall be bound to moor them, when not actually afloat, at the place or places mentioned in such license.

23.—All unlicensed vessels and boats shall be liable to seizure and confiscation; and all other vessels and boats moored at any place not mentioned in the license shall be liable to detention until the owner thereof shall have paid a fine of not less than 20*s.* nor more than 5*l.*

24.—All persons removing, or assisting to remove, any apprenticed labourer from the Colony, in any boat or vessel, without a passport from the Governor, shall be liable to a penalty of 50*l.*, or to imprisonment for any time not exceeding one month.

Cap. VIII.—On the Dissolution of the Apprenticeship by Contract or Appraisement.

The subject of the purchase by slaves of their freedom, whether with or against the assent of the owner, has for many years past occupied much time, and given occasion to a protracted correspondence with the Colonies. The law on this head was consolidated by the Order of November 1831. It is proposed to transfer this law to the case of a discharge from apprenticeships. The abridgment of labour, and the saving of time, are not the only recommendations of this method. It will also have the convenience of following a precedent which was maturely considered, and which has long been subjected to the test of experience. It does not appear that any thing more is necessary than to recite this part of the law respecting the manumission of slaves, and to provide that it should apply, *mutatis mutandis*, to the present case; the special Justice being to perform the part at present borne in such proceedings by the Protector.

Cap. IX.—On the Removal of Prædial apprenticed Labourers from one Plantation to another.

The 9th section of the Act of Parliament requires, that the supplementary laws shall determine the terms and the manner in which the consent of the Justice to every transfer of labourers from one plantation to another, shall be given, attested and recorded. Under this head, therefore, it does not appear that any thing further is requisite than to annex a form for such consents, and to declare that a book shall be kept by each special Justice, in which he shall record every such consent as may be given by himself.

Cap. X.—On the Apprenticeship of Children.

The 13th section contains the rules respecting the apprenticeship of young children; and the 16th requires that the supplementary laws shall determine the manner and form in which such indentures shall be made, registered and preserved. Under this head all that seems wanting is a proper form, with a direction that the indentures, when executed, shall be registered and preserved by the special Justice.

Cap. XI.—On the Alienation by sale, inheritance, or will, of the Services of apprenticed Labourers.

This is the subject of the 10th clause of the Act which requires the enactment of supplementary laws regulating the alienation and descent of this new species of property. The questions to which it gives rise are such as to make it extremely difficult to lay down rules exempt from many strange legal anomalies. That which has hitherto been dealt with as a permanent inheritance, has passed into a tenure of five or seven years. It is no longer a real but a chattel interest, and should therefore apparently pass by the same modes of conveyance, will and descent as other chattels. But such an innovation would disturb all existing titles, and disappoint all present expectations. It appears, therefore, that the single regulation which can be made is, that the ancient rules of law shall continue in force as far as the abridged duration of the property itself will allow.

Cap. XII.—On the Relation in which the apprenticed Labourers will stand towards the State.

These terms refer to the subject noticed in the 22d section of the Act, namely, the exemption or disqualification of the apprenticed labourers from holding civil and military offices. The enactments will accordingly be very few and simple. It should be provided that no apprenticed labourer should serve in the militia, or be compelled or competent to hold any office in His Majesty's service. To this general rule two qualifications should be annexed; the first, that it should not absolve the labourers from the duty of serving in any military or civil capacity to which they might be called by the Governor, in case of invasion, rebellion, or any other great public exigency; the second, that the rule should not be extended by construction to offices held in the service of any corporation or body politic, or in any church or ecclesiastical society. There can be no reason why, in common with all other members of the State, the apprenticed labourers should not contribute, on great emergencies to the public defence, nor why a labourer should be disqualified from any of those employments, sometimes *called* offices, which carry with them no political character or franchise, such as the situations of beadles, parish clerks, and so on.

JAMAICA.

— No. 1.—

COPY of a DESPATCH from the Earl of *Mulgrave* to Mr. Secretary *Stanley*, &c. &c. &c.

Sir, King's House, Jamaica, 5 August 1833.

JAMAICA. No. 1.

I HAVE had the honour to receive your Circular Despatch of the 13th of June, with a copy of the Resolutions of The House of Commons, declaring the expediency of adopting immediate and effectual measures for the Abolition of Slavery in the British Colonies; and as you at the same time state most explicitly, and, in my opinion, most justly, how desirable it would be to procure if possible the cordial co-operation of all classes of the colonists, and especially of the Colonial Legislatures, as tending to insure a safe and satisfactory adjustment of this difficult question, I therefore immediately summoned the Legislature of Jamaica, to meet and proceed to business on the 27th instant, the day to which they had been previously prorogued, as during the suspense that had till then prevailed as to the course to be taken on the subject by the British Parliament, I thought it better that they should not be in session, lest unnecessary disputes should arise out of the speculated intentions of the Government.

It is of course impossible for me as yet to form an accurate opinion as to what may be the conduct of the Assembly when they meet, as I am yet in ignorance in what shape the measure may be sent out. But as two more packets will become due between this and the 27th instant, I am in hopes that by that time I may have received from you the proposition in the form in which you may wish it to be submitted to them, and I think on every account that it is desirable no unnecessary delay should take place after I am in full possession of your views. In the mean time, I am happy to be able to say that the modifications which the measure had received, and particularly the increased amount of compensation, has very much dissipated that dissatisfaction which had arisen, and I trust that amongst the great body of colonists a better spirit is beginning to prevail. Whilst the conduct of the negroes is at present all that could be wished, and they seem inclined to wait with exemplary patience till I am enabled to communicate to them the result of His Majesty's gracious intentions in their favour.

I have, &c.
(signed) *Mulgrave.*

— No. 2.—

EXTRACT of a DESPATCH from the Earl of *Mulgrave* to the Right Hon. *E. G. Stanley*, dated King's House, Jamaica, 13th October 1833.

No. 2.

I HAVE the honour to inform you, that the Legislature of Jamaica met, pursuant to Proclamation, on Tuesday, the 8th instant, and herewith I enclose a Copy of the Speech with which I opened the Session, as well as the Address of both the Council and Assembly, and my replies thereto.

The decision to which I at length came to allow them to meet, notwithstanding the absence of any precise instructions from home upon the subject of the Abolition of Slavery, was not adopted without the most anxious deliberation. The period to which they had last been prorogued was not, however, more than a fortnight earlier than their usual time of meeting, and I was aware, as I told them in my opening Address, that "there was not only an arrear of business from the last Session, but that much new matter must be expected to come before them, and that it was also this year peculiarly desirable that they should not be detained from their homes till the very eve of the holidays."

I was fully aware of the difficulty of the task of alluding in my speech to the impending change in society here as one that was inevitable, which I felt it to be my duty, under present circumstances to do. I am happy to say, that I have been so far successful, that I believe no objection has been taken to one word contained in my speech.

JAMAICA.

Enclosure in No. 2.

Enclosure in No. 2.

Jamaica, House of Assembly, October 8, 1833.

EXTRACT of the SPEECH delivered by his Excellency the Governor, on the opening of the Session:

Gentlemen of the Council,

Mr. Speaker, and Gentlemen of the Assembly,

That period is at length arrived which I have long anxiously expected, when I can meet you with the certain prospect of being able to lay before you, during the session, every information from home connected with that most important change in the state of society here, towards which the public attention has now for some time been impatiently directed.

So desirous was I that the earliest opportunity should be given for you to exercise your discretion in expressing your opinion upon this subject, that the moment I received decisive intelligence as to the proposed measures of His Majesty's Government, I determined at once to convene the Legislature. Delay, arising from causes over which there was no control, unexpectedly intervened, and subsequent prorogations were the necessary consequence. Knowing, however, that there is not only an arrear of business from the last session, but that much new matter must be expected to come before you, and that it is this year peculiarly desirable that you should not be detained from your homes till the very eve of the holidays, I have been most unwilling again to postpone your meeting; and I have called you together now, in the confidence, that, in a very few days, I must be able to submit to you, in the most official form, every communication from the British Government on this one all-absorbing question.

The crisis at which we are at present assembled, is not only of an importance unparalleled in the annals of the Colony, but the interests it involves are of as vital and comprehensive a nature in relation to the community represented, as perhaps ever arrested the attention of a legislative body. Your task now commences, and I have no doubt, that postponing all minor considerations from a sense of the paramount importance of this great question, you will enter upon it in a true spirit of conciliation, and with that thorough understanding of the actual state of the case, which can alone lead to a satisfactory decision. My active duties with relation to this subject, I considered coeval with the first public announcement of the intended plan of Government, and my attention was at once directed to preserve the public peace under the inevitable excitement thus produced. In furtherance of which object, I have availed myself of all the means at present placed at my disposal to increase the numbers of the garrison; and I have acted upon the authority which I had in anticipation, requested and procured, to render the services of the troops more immediately available by the disposition of detachments in different country posts. I have lately made a personal inspection of all the most populous districts of the Island, and I am happy to assure you that I have no where seen any reason at present to apprehend the slightest disturbance. I have uniformly taken pains myself to explain to the negro population, wherever I have had an opportunity, that whatever good intention His Majesty might have in their behalf, it was by their own good conduct alone that they could ensure its ultimate fulfilment. That, in the meantime, nothing could interfere with their masters' still undoubted right to their services. That, even after the projected change, they could only expect legal protection under a system of moderated work; and that, whatever might be their country or their colour, those who are born to labour must live by industry.

To the general diffusion of such sentiments amongst the negroes, as coming from the executive, I am inclined to attach some importance; and, at the same time, in connexion with that great object of preserving the peace of the country, in the anxious interval which must elapse, before any new system can be matured, I do not doubt that you will feel as strongly as I do, that power, resting upon personal authority which is about to expire, had always better be gradually and voluntarily abandoned, than abruptly extinguished at the period fixed by a legislative enactment. It was with this view, and in the full confidence that such would be your sentiments, that the date of the first change, as originally proposed by the Government, was afterwards postponed. If, therefore, amongst the subordinate managers of properties, there should, in some instances, unfortunately appear a disposition to strain to the utmost in its extreme severity, and to its latest hour, that power of discretionary punishment which is at present in their hands, I feel assured that you would consider such a course as dangerous, not only to the actual tranquillity, but to the subsequent orderly settlement of the community; and that, as representing the general interests of the Colony, and the real owners of the slaves you would, under present circumstances more than ever, discourage any capricious stretch of discipline, not necessary to the enforcement of that legal portion of labour which must be obtained.

The question of the Abolition of Slavery is one, the constant agitation of which is frequently alleged to have paralyzed many of the resources of this fertile Colony. It has long been evident that this state of things could but lead to one termination—its ultimate settlement was therefore on all accounts desirable. The unavoidable crisis has at last been accelerated by the almost unanimous voice of your fellow-subjects in the mother country. However praiseworthy the motives of their interference, you might have had just reason to complain, had the attempt been made to redeem the national character, and to vindicate the cause of humanity at your exclusive expense; but the sympathy of the British people has not been of that spurious self-sparing nature, and liberality of the sacrifice on their part, has been worthy of the magnitude of the object they disinterestedly sought to obtain.

Long before this time, a grant of twenty millions to the present owners of slaves will, as an Act of Parliament, have received the Royal Assent.

It is but justice to you to state, that you have never expressed any desire to perpetuate slavery, provided compensation could, as at present, be secured. To the principle of the change I do not therefore anticipate any objection. Upon its details I shall most gladly avail myself of your judgment and experience. I cordially invite the most unreserved communications with myself upon whatever points you may wish for further information, assuring you, that upon all occasions, you will find the most anxious desire on my part to meet your views, convinced as I am, that whilst you well know a continuance of the present system to be impossible, you will feel that uncertainty is itself an evil, that delay can only increase danger, and suspense can only aggravate loss, and that though the actual operation of the new system may not be immediate, its settlement should on every account now be final.

I am far from underrating the difficulties of this momentous but now inevitable experiment. It is in your power, in a most material degree, to diminish the dangers of the transition, and in the same degree will you justly render the credit of success your own. For myself, I will only say, that amidst all our present anxieties, I entertain a sanguine hope that the time will come, when society being restored to a healthy state under equal laws, and an amalgamation of all classes, this land so favoured by nature, may, in the prolific expansion of hitherto unexplored resources, enjoy a solid, deserved, and therefore permanent prosperity.

Jamaica, ss.

To his Excellency the Right honourable *Constantine Henry* Earl of *Mulgrave*, Knight Grand Cross of the Royal Hanoverian Order, one of His Majesty's most Honourable Privy Council, Captain-General and Governor in Chief of this His Majesty's Island of Jamaica, and other the territories thereon depending in America, Chancellor and Vice-Admiral of the same.

The Humble Address of the Council.

May it please your Excellency,

We, His Majesty's dutiful and loyal subjects, the Council of Jamaica, beg leave to return your Excellency our thanks for your speech at the opening of this session.

We fully appreciate the motives which have induced your Excellency to fix on the present period for convening the Legislature, and we assure your Excellency that any communication which your Excellency may be pleased to submit to us, shall receive our best consideration.

The important crisis at which we are now assembled, and the vital interests involved in it, are of such paramount importance as must command the truest spirit of conciliation.

The measures adopted by your Excellency to preserve the public peace, at a moment of such excitement, demand our grateful acknowledgments, and we attach the greatest importance to the diffusion of those sentiments, as coming from the executive, expressed by your Excellency to the negro population.

In connexion with the object of preserving the peace of the country during a most anxious interval, too much care cannot be taken by the managers of properties to render gradual and thereby safe a change of such magnitude as that proposed by the new system, and we deprecate any unnecessary or capricious stretch of discipline.

We shall most cordially avail ourselves of your Excellency's offer should we require further information in the arrangement of the system about to be established; and we agree with your Excellency in thinking that its settlement should now be final.

We heartily join your Excellency in the hope that the many difficulties of this momentous experiment may be surmounted, and the desired and permanent prosperity of this valuable Colony established.

To which his Excellency was pleased to make the following reply:—

Gentlemen of the Council,

I return you my most sincere thanks for your Address, containing as it does every assurance which at such an anxious crisis I could desire.

I have no doubt, when the great question comes in detail before you, that your treatment of it will be such as might be expected from your patriotic zeal and practical knowledge; and it is through such beneficial co-operation on your parts that I am inclined to hope that our exertions may ultimately be crowned with success.

Address of the Hon. House of Assembly.

May it please your Excellency,

We thank you for your speech at the opening of the session.

When your Excellency shall be able to lay before the House the information alluded to, connected with a measure upon which the fate of this Colony depends, it will be received with that serious attention which so important a subject demands from us, and our best exertions will be directed, at this momentous crisis, to secure to our constituents all the advantages that can possibly result from the contemplated change in the state of our society, and to endeavour to avert any evils that may arise from an experiment in legislation, of which history furnishes no parallel example.

We thank your Excellency for the able disposition you have made of the forces at your command, and for the precautions you have taken to maintain public tranquillity; we sincerely

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sincerely hope your exertions may prove successful, and that, under Divine Providence, this Island may be preserved in peace.

The people of Jamaica have never advocated slavery in the abstract, but as connected with their rights of property, upon the principle of compensation, they are ready to relinquish the system, and will be proud to show that they have feelings as favourable to the improvement of the labouring population as their fellow subjects in the mother country all they desire is to be fairly dealt with.

The House can confidently assure your Excellency, that it will be their endeavour, as it is their duty, to promote the welfare of all classes of society, and it will be a subject of rejoicing (should the period ever arrive) when the present agitated and perilous condition of the Island shall be settled into permanent prosperity.

His Excellency's Reply.

Mr. Speaker, and Gentlemen of the Assembly,

I have listened with unmingled satisfaction to the Address just presented, containing, as it does in every sentiment, evidence of a disposition on your part the best calculated to meet fairly the difficulties of the critical situation of the Colony.

The magnitude of the objects at present at stake would be sufficient to absorb the expression of any mere personal gratification, but as my own most anxious wishes are fixed on the final settlement of that great question, which this session awaits your decision, I hail so auspicious a commencement of our labours, as affording the best hope that our united efforts may, by the blessing of Divine Providence, be brought to a successful issue.

—No. 3.—

Copy of a DESPATCH from Mr. Secretary *Stanley* to the Earl of *Mulgrave*.

No. 3.

My Lord, Downing-street, 8 January 1834.

I have the honour to acknowledge the receipt of your Lordship's Despatch of the 13th October last, informing me of the meeting of the Legislature of Jamaica on the 8th of that month, and enclosing copies of the speech with which your Lordship opened the session, and of the addresses of the Council and Assembly, and of your Lordship's replies.

I have great satisfaction in conveying to your Lordship my opinion, that the course which you adopted in convening the Legislature previously to the arrival of the Act of Parliament for the Abolition of Slavery, was, under the existing circumstances, extremely judicious, and was entirely in accordance with the instructions which you had received on the subject in my Despatch of the 26th June last.

I have also to express to your Lordship my approbation of your Lordship's speech on opening the session. Its conciliatory yet dignified tone was extremely well calculated to introduce favourably to the Legislature the topic which was to be the subject of their future deliberations; and I am happy to perceive, from the addresses of the Council and Assembly to your Lordship, that it was duly appreciated and was met in a corresponding spirit.

I have, &c.

(signed) *E. G. Stanley.*

—No. 4.—

Extract of a DESPATCH from the Earl of *Mulgrave* to Mr. Secretary *Stanley*, dated King's House, Jamaica, 24 November 1833.

No. 4.

I am happy to be able to inform you, that a Bill for giving effect to the provisions of the British Act for the Abolition of Slavery having been introduced into the House of Assembly, has passed through all its stages, except the last; that it stands for a third reading to-morrow, which is considered will be a mere matter of form; and I hope to be enabled to announce its having finally passed the House in a postscript.

It has of course been my anxious endeavour, in the absence of any positive instructions from you, to induce the members of the House with whom I have had personal communication, to bring forward such a measure as should adhere as strictly as possible to the principles of the British Act, and at the same time, as far as they are at present in a condition to do so, to develop such of the details

details as are left to them, with a view to giving effect to its provisions. I do not think, upon the first point, that you will find the slightest cause of complaint, as the majority so completely entered into my view of the importance, in the first instance, of showing their acquiescence in the principle, that in general they have adopted the very words of the British Act. If, upon the second point, their labours should not appear in all respects efficient, it is not from any indisposition to undertake the task required of them, when there shall have been more time given them for consideration; but from a desire to postpone any minor points upon which there might be difference of opinion amongst themselves, to the great object of tendering to the British Government this substantial proof of co-operation on their part, and which they hope will give them a claim to the favourable consideration of a memorial they intend to forward home, asking to be allowed to make some alterations in the details, upon the expediency or practicability of which, as soon as I am made acquainted with them, I have promised to transmit to you, at the same time my own opinion. Upon the ultimate arrangements they may make for the establishment of a police, they are anxious not to be called upon to make any legislative provision till the answers on these subjects are received from England; but I am sure they will be much encouraged to persevere in the improved disposition they have lately shown by that approbation of the measure now passed, which I think upon the whole you will not be inclined to withhold.

I have been confined to my bed for some days, by a severe attack of the fever of the country; and though I am now recovering, I am strongly enjoined by my medical advisers not to attend much to business for the next few days. This will, I trust, be my apology for any omissions that may appear in my communications by this packet. The Bill, of which I have directed a copy to be enclosed, will, I trust, speak satisfactorily for itself.

You will of course be aware that it still remains to be submitted to the Council; but I have been given to understand that any amendments which may seem to that body desirable, will not be pressed, should there appear any risk of such alterations endangering the safety of the Bill.

25 November.

The House, on its meeting this afternoon, agreed to postpone the third reading of the Bill till to-morrow, on account of the absence of several of the members, who are understood to be engaged in their private business, preparatory to the sailing of the packet for England.

(signed) *M.*

—No. 5.—

COPY of a DESPATCH from Mr. Secretary *Stanley* to the Earl of *Mulgrave*, &c. &c. &c.

My Lord, Downing-street, 4 January 1834.

No. 5.

I HAVE received your Lordship's Despatch of the 24th November last, transmitting to me a Bill for giving effect to the provisions of the British Act for the Abolition of Slavery, which had been introduced into the House of Assembly, and had passed through all its stages except the last.

As I have not yet had an opportunity of giving that careful attention to the various provisions of the Bill which the importance of the subject requires, I must abstain from expressing a definite opinion on its details, but I cannot withhold the expression of my satisfaction in perceiving, that in all its main principles the proposed Bill is entirely in accordance with the British Act of Parliament. If, however, upon a closer examination of the Bill, any of its enactments shall be found to be defective or objectionable, I feel assured that the Legislature of Jamaica, in the same spirit in which they have already applied themselves to the consideration of this important measure, will adopt such amendments as shall appear to be necessary.

I consider it due to the Assembly of Jamaica to acknowledge that the laudable promptitude which that body has displayed in legislating upon this momentary occasion, is calculated to have a most favourable effect, by way of example, upon the proceedings of the other Legislatures which are now engaged in the consideration of the same subject, and to contribute in no small degree to the speedy and successful completion of the measure of Negro Emancipation in the rest of His Majesty's West India Colonies. I have, &c.

(signed) *E. G. Stanley.*

JAMAICA.

No. 6.

—No. 6.—

Copy of a DESPATCH from the Earl of *Mulgrave* to Mr. Secretary *Stanley*, &c. &c. &c.

Sir, Cardiff Hall, St. Ann's Jamaica, 19 December 1833.

IN reference to a paragraph in your circular Despatch of the 19th of October, I am anxious to enter into some explanation, both as to the date at which I received it, and the reason why I had not previously anticipated instructions of such latitude on that particular point. The passage to which I allude refers to the state of apprenticeship, and is as follows: "As these legislatures were expressly authorized to fix the term of apprenticeship, provided it did not exceed a certain duration, so it is clearly within their province, should they deem it safe and prudent so to do, to dispense with it altogether, and to pass at once to a state of unrestricted freedom." This, followed by an intimation that I "was not therefore to consider myself bound to refuse my assent to such an Act," arrived here on the 24th of November, when the House, having been already seven weeks in session, had brought to its last stage a Bill, as nearly as possible adopting all the provisions of the British Act. I had up to that time been acting in the absence of any positive instructions from you, which had probably been delayed from a misapprehension of the usual period of the session here. I had, therefore, been obliged to construe to the best of my judgment, the restrictions contained in the British Act, and to endeavour most anxiously to meet what I thought were the views of yourself and the British Government on the subject. I was not even aware that these Legislatures were *expressly* authorized to fix the term of this apprenticeship, though I should not have felt obliged to refuse my assent, had this term been merely shortened, but, in the absence of any other clue, I studied the line taken by yourself and others, as reported in the debates, in which I uniformly found that it was considered that, after the passing of the first resolutions, The House of Commons was at any rate bound, while shortening it as they pleased, to leave a *bonâ fide term* of apprenticeship. If The House was thus bound, I thought that, the Act having passed, the obligation would be still stronger against any one Colony being permitted by the local executive, on his own responsibility, to introduce contradictory enactments without giving an opportunity to Parliament for revision, and I was strengthened in this opinion by the terms of the English Act, which is almost entirely composed of regulations for apprenticeship, and one clause of which distinctly states that any colonial enactment which is at variance with its provisions shall be thereby null and void.

I am the more anxious to explain my conduct on this point previous to the receipt of this, your circular Despatch, which only arrived at the close of the Session, because I acted exclusively upon a desire to fulfil as nearly as possible, what I considered to be the objects of the Government, and not from any partiality of my own to the apprenticeship, if not necessary, as no person could more wish that it could be safely abrogated, and few could be more sanguine as to the probable success of such an attempt. Believing, however, at the time, that its entire extinction would be too great a departure from the main principles of the English Act to be confirmed at home, I certainly, in private, persuaded some individuals to postpone for the present any endeavour of that nature.

I have thought it right in my own justification, should the circular Despatch ever be made public, to lay before you the whole state of the case, but I the less regret the course I then took, because I have been convinced by subsequent observation that, under no circumstances, would the abolition of apprenticeship have been carried by the majority of the House of Assembly, and the fruitless agitation of that question would of course have only disappointed the negroes with the result. Some few of the advocates of immediate emancipation in the House of Assembly were, I believe, sincerely convinced that that plan would answer best, but others were induced to adopt that cry with a view either to get further compensation, or to avoid the support of the sick and aged, and their tone was considerably altered when I told them that I imagined the first would not be obtained, and the last would in some shape be enforced.

I have the honour to be, &c.

(signed) *Mulgrave.*

—No. 7.—

EXTRACT of a DESPATCH from the Earl of *Mulgrave* to the Right Hon. *E. G. Stanley*, dated King's House, Jamaica, 13 December 1833.

THE expected packet not having yet arrived, I avail myself of the opportunity of a merchant brig sailing for Liverpool, to communicate to you the termination of the session, and this I am the rather induced to do, that I am about to start to-morrow on an extended tour round the Island, in which I shall be engaged through the ensuing holidays, and this circumstance must therefore prevent my communicating with you in any detail by that occasion.

I announced to you by the last packet, that the Bill in adoption of the English Act for the Abolition of Slavery, after having been subjected to the ordeal of three different committees, two select and one of the whole House, was then supposed to have been ultimately reported in the shape it would without further delay pass. The Bill was finally read a third time, and passed the same evening *nemine contradicente*. Since then, the business of the session has proceeded to its close without any difficulty. They have passed a separate Vagrant Law, copied from English Acts, and a Police Bill. All the enactments of the former do not appear to me applicable to the existing state of society here, but there is nothing, as it seems to me, objectionable in principle. In the Police Bill every thing is left to the discretion of the executive. But I am necessarily prevented from making at present those remarks with which I may think it desirable to accompany these Acts by the next occasion, because it certainly is of the utmost importance for the tranquillity of the country that I should visit all parts of the Island before the conclusion of the holidays, and therefore, as I shall be constantly on the move, I shall not be able to write on any subject which requires reference to papers. As I start to-morrow, and therefore have much business to wind up in this one day that intervenes between the prorogation and my departure, I have only left myself time to add, that I enclose by this accidental opportunity, a copy of the speech with which I had much satisfaction in closing the session, and congratulating all parties on its most important results. I also enclose a copy of the message before alluded to, which I transmitted to the Council and Assembly, in laying before them the draft of the Order in Council which accompanied your circular Despatch of the 19th October.

Cardiff Hall, St. Ann's, 19 December 1833.

Since my departure from the seat of government, a copy of the Act passed by the Legislature for the Abolition of Slavery having been prepared and duly authenticated, I avail myself of the present opportunity of transmitting it to you, believing it to be of importance that you should be in possession of this enactment as early as possible.

The Act is printed in a separate Appendix.

It is not in my power, for the reasons already stated, to enter in detail at this moment on any part of its provisions, and I will therefore only observe, that it differs in some particulars from the Bill as it stood after having been read a second time in the Assembly, (a copy of which I transmitted with my Despatch of the 24th ultimo) several amendments having been made in the Council, which are generally considered to be improvements.

Enclosure 1, in No. 7.

Enclosure 1, in No. 7.

Copy of a MESSAGE transmitted by the Governor of Jamaica to the Council and Assembly, 3 December 1833.

Mr. Speaker,

I AM commanded by his Excellency the Governor to lay before the House of Assembly a document which he has received from His Majesty's Government by the last packet, in the shape of a draft of a proposed Order in Council, which may hereafter be established for the Crown Colonies, with reference to the projected change in society, incident to the Abolition of Slavery.

His Excellency in taking this opportunity of transmitting this document is actuated principally by the desire he professed at the commencement of the session to put the House in possession of any information he might receive, and not by any wish to direct their immediate attention to its subject matter, as the House have not yet come to a decision on the Bill which had already been submitted to them in the message of the 15th of October. His Excellency also thinks it right on this occasion to apprise the Assembly that it has occurred to His Majesty's Ministers that considerable inconvenience might arise from combining in one

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one law all the various subjects which must claim the attention of the House as consequent upon the intended change, and it is therefore not the wish of the Government that the police establishment which forms the principal matter of this communication should be made a part of that Bill which they have already under their consideration, lest this or other extraneous matter, by containing objectionable provisions, thus unnecessarily connected with the main object, might endanger the success of the whole, and oblige His Majesty to withhold his assent from that great measure, the enactment of which, recognizing the principles of the British Act in a spirit of frank co-operation, has been made the condition on which alone compensation is to accompany emancipation. His Excellency is anxious, however, that it should be perfectly understood in what light this communication is made. That great object to the colonial interests of compensation once secured, through a compliance of the Legislature with the terms annexed, His Majesty's Government they may be assured, will be disposed to place the most candid and liberal construction upon any supplemental Acts which may be passed, provided that they bear upon the face of them a real and sincere desire to act up to the spirit and intention of the British Parliament and people, nor do His Majesty's Government wish to fetter in any respect that discretion as to the execution of the details of all these measures, which has been wisely vested in the Colonial Legislature, and for which their local knowledge and practical experience give them peculiar advantages, but from a desire to offer every possible assistance, it has been thought right to draw up in some detail a plan by which it appears to His Majesty's Government that some of the objects in view may be accomplished, and to submit it for the future consideration of the House.

His Excellency having thus explained the views of His Majesty's Government in preparing the document in question, transmits it at this time, that the House may have every opportunity for due deliberation, both as to what extent and in what manner the plan may hereafter be made available for the purposes proposed.

Enclosure 2, in No. 7.

Enclosure 2, in No. 7.

JAMAICA.—EXTRACT of the Speech of his Excellency the Earl of *Mulgrave*, on closing the Session of the Legislature 12 December 1833.

Gentlemen of the Council,

Mr. Speaker, and Gentlemen of the House of Assembly,

I can now release you from your further attendance here, and in thus closing a session of almost unequalled length, and certainly of unparalleled importance, I look forward with satisfaction to your immediate return to your homes, whereby you will be enabled to diffuse through your several parishes the most accurate information upon those difficult and delicate topics which have here engaged your attention, and upon which it is so desirable to avert misapprehension. You may rely upon my co-operation by every personal exertion in my power to secure the perfect understanding of the real truth.

Under the peculiar circumstances of the season, I have therefore thought it better no longer to protract this session, though there may still be some few measures not completed, which might otherwise have accompanied the settlement of that great question, the consideration of which has engrossed so much of your time, and which you have happily brought to a successful termination; for which I must now offer you my thanks and congratulations. It will be therefore requisite that you should have a future opportunity of re-considering whatever has necessarily now remained undone, and the time when an answer to those communications shall have been received from the Mother Country, will probably be the most convenient for perfecting these objects.

Gentlemen of the Council,

Mr. Speaker, and Gentlemen of the House of Assembly,

Slavery, that greatest curse that can afflict the social system, has now received its death blow. You who collectively were not responsible for its origin, and who individually have, in many instances, mitigated its evils, have recorded your acquiescence in its speedy and final extinction. The influence of your example will be felt far beyond the sphere of your direct control. It has long been evident that the protracted continuation of slavery could only lead to the dissolution of that society, the powers of which were paralysed by its baneful effects. But that transition by which alone a cure could be effected was one of great difficulty, and required some courage to undertake. It has been thought by the British Government, that the dangers of this critical operation might be lessened by an intermediate state of probation; and in conformity with their suggestion you have adopted that plan. But this is a part of the subject which will, of course, be open to your subsequent revision. The extreme duration of this period is already fixed; but should you hereafter in the exercise of your discretion, founded on your observation of the disposition and conduct of the negroes, think that the term of apprenticeship could be either safely diminished, or shortly abrogated, there is no determination which would be hailed with greater satisfaction by the British Government and people, and no one would more rejoice than myself at the last traces being utterly effaced of that state of things, of which I have personally witnessed the inseparable evils. For notwithstanding the existence of humane regulations, and laws of protection, and in spite of the precautions taken by many influential persons (to which I am happy to bear witness) no one who had held my situation during the same period, and who had taken due pains to investigate the real truth, could honestly deny that occasionally cases of flagrant abuse of power have been found to exist. I say this from no desire to record the worst traits of an expiring system, but from an anxiety once again at parting to impress upon your most serious attention the extreme importance of judicious management during that momentous

momentous interval, on which we are now entering. Neither for the present tranquillity of the country, nor the future efficiency of its labour, is it to be desired that the weapon of arbitrary punishment should be exercised with undiminished severity on individual responsibility up to the last moment, when the law shall abruptly arrest the arm that wields it. JAMAICA.

Your duty as Legislators concludes for the present; but, as individuals deeply interested in the prosperity of the country, I should hope you would be inclined to suggest as a necessary preparation for the great change, that all serious offences requiring severe punishment should in future be as much as possible submitted to the public decision of a magistrate. It will be my first duty at the same time to endeavour to have it clearly understood that no legal change takes place before the first of August, and that whatever power the masters have hitherto possessed, must till then be obeyed.

I have made such arrangements as I have thought necessary for ensuring the tranquillity of the Island during the approaching holidays, by doubling the number of detachments of regular troops throughout the country. In case of actual disturbance, the militia have been warned to be in immediate readiness, but I have been unwilling, if it can be avoided at such a moment, to deprive the properties of the moral influence of the presence of the free persons engaged upon them.

You can return to your homes with the consciousness of having in this difficult crisis faithfully discharged your duties in accordance with the wishes of your constituents. For myself I will only say, that whenever circumstances shall hereafter cause my personal separation from the Island of Jamaica, the recollection of this day will always proudly survive, and no event in after life can obliterate the gratifying impression, that, as the reprentative of His Majesty, I have been enabled to give the authority of law to your sanction of the speedy and final extinction of slavery. The part, which through the gracious confidence of my Sovereign, I have been allotted to bear in these proceedings, must always perpetuate my interest in the future fate of the Island, and my most earnest wishes must ever be, that that which has been thus virtuously commenced, may prosper in all its stages; that by the blessing of Providence, from the abandonment of evil good may arise; that from the restoration of a more healthy state of society, may spring the conviction that even common interest demands the reciprocation of mutual benefits between all classes of the subjects of the same empire.

In conclusion, I must express my firm belief that in all your future difficulties your ready recognition of the natural rights of your fellow men will meet its best reward in the revived diffusion of national sympathy, and the cheerfully continued extension of British protection.

I do now in His Majesty's name prorogue this General Assembly to Tuesday the 7th of January next, and it is hereby prorogued accordingly.

—No. 8.—

Copy of a DESPATCH from Mr. Secretary *Stanley* to the Marquess of *Sligo*, &c. &c. &c.

My Lord, Downing-street, 20 Feb. 1834. No. 8.

I have received Lord Mulgrave's Despatch of the 13th December, enclosing the Act for the Abolition of Slavery in the Island of Jamaica, passed by the Legislature of that Colony; and it affords me sincere gratification now to announce to your Lordship that His Majesty's Government, after the fullest consideration of the principles and details of that Act, have arrived at the conviction that the Legislature of Jamaica has faithfully and effectually enacted the Abolition of Slavery, and has also framed the supplementary enactments requisite during the intermediate state of apprenticeship contemplated by the British Parliament.

His Majesty's Government accordingly feel themselves enabled to recommend His Majesty to signify his assent to this Act, and to declare, in the terms of the 44th section of the British Act, "that adequate and satisfactory provision has been made by law in the Colony of Jamaica for giving effect to the British Act by such further and supplementary enactments as therein mentioned." In adopting this course, His Majesty's Government have not overlooked the existence of various defects in the Act which they are thus prepared to sanction. They are aware also, that by withholding His Majesty's approbation of the Act they would have been furnished with an argument of almost irresistible force in favour of such amendments and alterations as they might propose. His Majesty's Government, however, have carefully and attentively examined these defects, and they feel themselves justified in pronouncing them not to be of such vital importance as to render the Act either inadequate or unsatisfactory, and they have therefore deemed it just towards the Colony of Jamaica that the Act should at once in its present shape be approved, and that the right of the Colony to its share of the compensation should thus at the earliest possible period be rendered indefeasible.

 His

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His Majesty's Government are confident that the Colony of Jamaica will fully appreciate the frank and unreserved line of conduct which is thus pursued towards it, and that although the Legislature will not be compelled by the motives to which I have alluded to acquiesce in the suggestions which will be offered to them for the purpose of remedying the imperfections of the Act, they will nevertheless receive and adopt them in that spirit of confidence and good-will which I trust will henceforth always be found to exist between the Colony and His Majesty's Government.

I have therefore to desire that your Lordship will take the earliest opportunity, after the receipt of this Despatch, to announce to the Legislature of Jamaica the decision of His Majesty's Government upon this important Act, and your Lordship will at the same time invite their earnest attention to the various amendments and additions which I shall now proceed to indicate.

1st.—The proviso in the fourth clause of the Jamaica Act I believe to have been intended to be identical with the similar proviso in the 4th clause of the British Act; the Legislature of Jamaica have practically altered the meaning of those words: the expression, "the present Act," refers no longer to the English but to the Colonial statute, and the twelve months of prædial labour which are required to justify the classification of a negro among the prædial apprentices would, according to the Jamaica Act, be computed from the 12th December, while the British Act requires that they should be computed from the 28th August.

It would be expedient to remove this discrepancy by altering the date in the Jamaica Act.

2d.—By the 8th clause of the British Act and the 8th clause of the Jamaica Act, it was intended to give to the apprenticed labourer power to purchase his discharge of his apprenticeship "without or in opposition, if necessary, to the consent of the party entitled to his services." The 9th and following clauses of the Jamaica Act, which seem to have been designed to execute that intention, do not effect it to its full extent, for although they provide for the cases where the party entitled to the services of the apprentice is unwilling to consent, they do not provide for the very frequent cases in which the party so entitled is *unable* to consent, either by reason of minority, absence or any other cause. It is obvious that a very slight alteration of these clauses will cure this defect.

3d.—The provision made by the 39th clause of the Jamaica Act, for securing peace and good order on the plantations, although beneficial both to the employer and the apprentice, requires some alteration, in order to bring it within the scope and intention of the British Act. It should be made clear that the constables who are thereby directed to be appointed will only be armed with the authority of the law, and will be responsible for the due exercise of that authority to the special magistrates only, and not to the proprietor of the plantation.

The right to confine for safe custody should, as regards apprentices belonging to the plantation, be limited to cases in which freemen might be taken into custody by the ordinary constables, or to cases in which it is presumable that the apprentice having offended against the law established by this Act will attempt to escape.

4th.—The 44th clause of the Jamaica Act gives too large a jurisdiction to the special magistrates. Although I am disposed to believe that the words "other minor misdemeanors and crimes" would, according to the legal construction of the Act, be held to mean such actions only as if committed by free persons would be misdemeanors or crimes; yet this clause, even thus limited in its operation, might be held to deprive the apprentice in many cases of his right to be tried by a jury.

In order to make this provision unobjectionable, it should be confined to such crimes and misdemeanors only as under any of the Police Acts in force in Jamaica against free persons are cognizable and punishable by a single magistrate.

5th.—Although I conceive that the general expressions of the 49th clause would be construed to enable the special magistrate to inflict penalties on the employer in case of frivolous complaints made by the apprentice, or in case the apprentice should be improperly deprived of the enjoyment of any part of his own time, I think it right that all possible doubt on this subject should be removed by specific enactments. As respects the apprentice's own time, I should recommend the insertion of a clause analogous to sect. 2 of chap 6, of the heads of the proposed Order in Council for British Guiana.

6th.—The

6th.—The 60th clause requires modification. The urgent necessity there spoken of should be limited to extraordinary circumstances, such as fire, tempest, &c. As it now stands, it might operate unfavourably and unjustly towards the apprenticed labourer in the crop time, by obliging him to give his assistance in the field or the boiling house, under circumstances which might have been prevented by previous due caution on the part of the employer.

7th.—It is due to the special magistrates they should be properly indemnified in the discharge of their duties, and for this purpose I would suggest that enactments should be framed analogous to the 27th, 28th and 29th sections of cap. 2 of the heads of the Order in Council for British Guiana.

8th.—The 49th clause enables the special magistrates to impose fines upon the parties entitled to the services of any apprenticed labourer for any wrong or injury which he may sustain from such parties.

The 68th clause directs that these fines shall be applied to the use of the public of the Island. As the Act has provided that the apprentice should compensate by labour the loss which his employer may sustain from indolence, neglect, nonperformance of work or absence, it seems but reasonable that the special magistrate should have the power of compensating out of the fine the apprentice for the injury which he may have sustained from his employer, and I think that a clause should be introduced to that effect.

9th.—The proviso annexed to the 49th clause enacts, that "nothing herein mentioned shall be taken to bar or destroy the right of any apprenticed labourer to proceed in the Supreme or Assize Courts, or the Courts of Quarter Session or Common Pleas, for any wrong or injury done or committed against his or her property or person by any persons whomsoever."

I believe it to have been the intention of the Legislature of Jamaica that, if in cases of cruelty or other injury the penalty of 5*l.* should be thought inadequate, the employer might be proceeded against, either by indictment at the suit of the Crown or by civil action at the suit of the apprentice. I think, however, that it is a plausible construction of the words of the 49th clause, with its proviso, to say that they reserve nothing beyond the remedy which the apprentice can himself enforce; that is, the civil suit, and that they would operate as a bar to an indictment or criminal information.

I do not believe, however, that the courts of law would adopt such a construction, inasmuch as the right to prosecute is, in theory, a prerogative of The King, which cannot be taken away without express words. I think, nevertheless, that the proviso is sufficiently ambiguous to render it advisable that it should be so amended as clearly to secure to the apprenticed labourer the full protection of the law.

I would advert to one other point, rather with a view of calling the attention of the Legislature of Jamaica to the subject than of stating my opinion that the Act, as it stands, is defective. The British Act requires that the apprenticed labourer should receive from his employer such supplies of food, clothing, medicine and medical attendance as the slave might have claimed by law in each respective Colony, and that regulations should be made on these heads where the existing law is either silent or inadequate. I am happy to admit that I do not find the inadequacy of the laws of Jamaica on these subjects made matter of remonstrance by any of my predecessors in commenting upon the several provisions of successive slave laws, nor do I find that complaints of their insufficiency have been made by the slaves in any single case. I am bound, therefore, to consider them "as adequate for their purpose." But, looking to the very loose terms in which they are couched, especially in respect of medical attendance in case of sickness, I think it right not to pass over this subject without reminding the Legislature that as the *interest* of the master in the recovery of the sick apprentice, more especially towards the close of the period, will be much weaker than it would have been in the corresponding case of the slave, it may derive consideration whether a proportionate strictness of legal obligation may not be desirable.

I have now enumerated to your Lordship the various points in this Act which appear to His Majesty's Government to require alteration or comment, and I feel it to be due to the framers of the Act to convey to your Lordship my opinion that the defects to which I have adverted are not more numerous or more grave than might have reasonably been expected to result from the difficulty of legislating upon a subject of such entire novelty as the proposed system of apprenticeship, and from the shortness of the time which the Legislature, in their anxiety to meet

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the views of Parliament, allowed themselves for the consideration and execution of the important task which they have had to perform. It is possible that some of them may have already engaged the attention of the Legislature, and I do not permit myself to doubt that others which may now for the first time be suggested to them, will receive their dispassionate consideration; and that Jamaica, as it has been the first of the Colonies to follow the course pointed out by the Mother Country, will manifest a laudable desire to remove any well-founded objections which may still be raised against the subordinate details of its enactments.

I have, &c.
(signed) *E. G. Stanley.*

—No. 9.—

Copy of a DESPATCH from Lord *Mulgrave* to Mr. Secretary *Stanley*, &c. &c. &c.

No. 9.

Sir, Kingston, Jamaica, 14 March 1834.

Previous to leaving the Government of Jamaica, it may be proper that I should report to you the steps that have been taken with a view to the organization of a police force.

You are aware that an Act was passed by the Legislature in the late session, by which it was proposed that tracts of land should be procured by the Government in different parts of the Island for the purpose of establishing townships, in which a force of this description, with their families, should be settled; and the Governor was authorized to assign to each family a portion of land, and to make all necessary regulations for the interior government of the township, as well as the efficiency of the police. The sum of 15,000*l.* was authorized to be expended on this service on the different accounts being audited by the Commissioners of Public Accounts.

The information possessed by the Local Government with respect to the lands in the interior of the Island being very imperfect, I lost no time, after the conclusion of the session, in communicating with the several custodes, as well as other persons who were considered to be well acquainted with particular parts of the country, in the hope of obtaining sufficient information on the subject to be enabled to fix at once on situations for the several townships; the necessary steps would then have been immediately taken to obtain possession of a sufficient quantity of land, to clear it and lay it out for a settlement, an operation which, as in many instances it would probably have been in almost a wild state, covered with wood and difficult of access, must have been expected to occupy a considerable time.

After some weeks employed in references on this subject, so little information had been obtained, that it became quite evident, if no steps were taken to establish a police till the townships should be in readiness for their reception, that no force of that description would be in existence on the 1st of August next, or probably for some months afterwards. Under these circumstances, therefore, and as much anxiety was felt in the country on the subject, I considered it very important that no further time should be lost in commencing the organization of a police, though it was not possible to carry entirely into immediate effect the system contemplated by the Legislature. With this view I determined, as a temporary measure, to endeavour to hire houses in the most eligible situations in the several parishes, in each of which a detachment of police should be stationed; the police of each county, comprising six or seven parishes, being under the general direction of a superintendent. The enclosed paper, being the outline of the plan proposed to be acted upon, and which was communicated to the Commissioners of Accounts, to prevent any misunderstanding as to the mode of payment, will probably afford you all the necessary information on the subject, and I therefore transmit it.

From the answers which I have received to several references on the subject, I do not apprehend that any difficulty will be found in procuring houses to lodge the police in eligible situations; and if, therefore, men of respectable character will enrol themselves on the terms offered, which are as advantageous as could be granted under the police law, I should hope that a force may be established in the course of two or three months sufficient to ensure the tranquillity of the country, and the whole can be afterwards moved into the permanent settlements when these

these shall have been fixed upon and prepared for their reception. Arms and all other appointments have been ordered from England for the equipment of the police, and may be expected in the course of the summer.

I have appointed all the officers, and fixed the parishes in which, in the first instance, each will be stationed; but the whole force is of course for the general service of the Island, and may be moved to any part, as occasion may require. The superintendent of each county is one of the special magistrates, and he will receive his pay as superintendent, in addition to the salary of the latter situation.

The expense of this force will be very considerable, but it has not been possible to establish it on a more economical scale; and I have only to add, that on the plan being communicated to the Commissioners of Public Accounts, the chairman was directed to convey to me the thanks of the Board for the information afforded them, and their assurance that the funds required for the payments at the periods specified should be forthcoming as they might be required.

I have, &c.
(signed) *Mulgrave.*

MEMORANDUM.

As it is quite in vain to expect that a police could be organized by the 1st of August next, on the system of colonization contemplated by the Act passed for that purpose in the late session, it is proposed to proceed immediately with the formation of a police force sufficient to secure the immediate tranquillity of the country, and that may be afterwards moved into these permanent stations, which will be established as soon as the best situations can be selected, arrangements made for getting possession of the lands, laying them out in lots, and preparing them for the reception of the police and their families.

With this view, it is proposed, if possible, to hire houses in the several parishes to the extent stated in the margin; at each of which one inspector, two serjeants and thirty policemen to be stationed: there will be a superintendent in each county to command the whole police force therein, to whom the several inspectors will report.

County of Surrey.	
Port Royal	1
St. Andrew's	1
St. Thomas in the East and St. David	2
Portland	1
St. George's	1
	— 6
County of Middlesex.	
Precinct of St. Catherine	2
St. Mary's	2
St. Ann's	2
Vere	1
Clarendon	1
Manchester	2
	— 10
County of Cornwall.	
Trelawney	2
St. James's	1
Hanover	1
Westmorland	2
St. Elizabeth	2
	— 8
Total	26

The pay of the superintendent to be 250 *l.* a year (currency), that of the inspector 200 *l.* currency a year. The inspectors will be provided with accommodation in the houses occupied by the police, and a residence to be also procured for the superintendent in some convenient situation in the county.

The pay of the police to be as follows:—
Each serjeant to receive a daily pay of 2 *s.* 6 *d.* currency.
Each private policeman, of 1 *s.* currency.

The serjeants and privates to receive also daily rations, consisting of,—

1 lb. of meat,*
1 lb. of flour, or 1 lb. 5 oz. of bread.
1 $\frac{1}{28}$ oz. of coffee.

Each serjeant and private to receive annually as an uniform,—

1 shell jacket, with facings,
1 pair of cloth trowsers,
2 pairs of white trowsers,
2 pairs of shoes,
1 forage cap.

* The present contract price of the soldier's ration, consisting of the same allowance, is 8 *s.* 1 *d.* a week.

All other articles of dress they will be expected to provide out of daily pay. The uniform is to be worn on every occasion when employed in any kind of duty.

They will be armed in the following manner:—

Each serjeant 1 pair of pistols, a sword and belt.
Each private policeman, 1 rifle† and sword, 1 cross belt and pouch, 1 waist belt for the sword.

† Rifles are proposed, there being 500 in the Island Arsenal.

The probable expense of a police force consisting of 770 men, on this system, for three months, may be stated as follows, exclusive of arms and accoutrements:—

	£.	s.	
3 Superintendents, at 250 *l.* currency a year	187	10	–
24 Inspectors, at 200 *l.* currency	1,200	–	–
720 Privates, at 1 *s.* a day	3,312	–	–
50 Serjeants, at 2 *s.* 6 *d.* currency a day	575	–	–
Rations for 770 men, at 8 *s.* 1 *d.* a week	4,045	14	2
Hire of 24 houses at 70 *l.* currency a year	420	–	–
Medical attendance at 20 *s.* a head per annum	250	–	–
£.	9,990	4	2

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The expense of clothing is not included in the above, as it could not be received before the expiration of the quarter, but this would probably not exceed 4,000 *l.* A palliasse, blanket and a pair of Oznaburgh sheets should be also furnished for each serjeant and policeman; but the whole expense, even including clothing and the necessary charge for the transport of arms, &c. from the arsenal to the different stations, and contingencies, such as advertizing, printing, &c. would probably be covered by the 15,000 *l.* contemplated by the Legislature as necessary for the first formation of a police.

Proposed mode of Payment.

It would be very desirable that the pay should be issued monthly by the receiver-general to the superintendent of each county for the whole police establishment of the same; and the detailed payments to the serjeants and policemen might be made through the inspectors of each station.

It is proposed that the whole establishment should receive their pay on the 1st of every month for the preceding month.

The following mode is proposed for this purpose:—

The superintendent should send to the receiver-general on the 15th of each month an estimate of the pay that will become due to the officers and men of the police of the county on the last day of the month. On his receiving the same, he will pay to the inspectors of each parish the sums due to the several stations.

The inspectors to keep lists, in which the name of every policeman belonging to their stations is to be inserted, with the amount due to him; and he will require each to sign his name in an opposite column on receiving the same. These lists to be in duplicate,—one to be kept by the inspector for his own security, the other transmitted by him by the 10th of every month to the superintendent, who, on being satisfied of its correctness, will transmit it, together with his own account for the issue received on his estimate, to the clerk of the Commissioners of Accounts. The receipts of the several inspectors to be attached as vouchers to the superintendent's account, and the whole to be submitted for final audit to the Commissioners of Accounts at their first meeting.

The above Memorandum is communicated to the Commissioners of Accounts, by order of his Excellency the Governor, for their information, and with a view to ascertain whether funds can be relied on for the payment of the expenses of a police organized on this system and at the periods suggested, and also whether the proposed mode of rendering accounts will be deemed satisfactory. If funds may be relied on, steps would be immediately taken for the hire of the houses; and it is hoped that the arrangement as regards this part of the plan, might be completed throughout the Island by the 15th of April. An inspector would then be sent to each parish where it may be thought likely that the men could be enlisted, with instructions to enrol them. It would then be necessary to fix a distant day on which the men enlisted must assemble at the stations assigned to them, that some time may be allowed after the probable amount of force has been ascertained, for entering into contracts for their rations, &c. in the manner required by the 10th section of the Act for forming a permanent police. It may however be anticipated that by the middle of June the men would be at their respective posts.

It is proposed that the men should be enlisted for six years, unless sooner discharged, with a view to allow for the full period of five years, as required by the 10th section of the law, after the police settlements on the principle of colonization may have been formed. It will be explained to each man at the time of his enlistment, that in one year from the date of his being provided with land in any permanent police settlement, he will cease to have any right to pay or rations, except when he may be actually employed on police duty, or in any other duties for the advanage of the police.

Kingston, 7th March 1834.

—No. 10.—

COPY of a DESPATCH from Mr. Secretary *Stanley* to the Marquess of *Sligo*.

No. 10.

My Lord, Downing-street, 20 March 1834.

I HAVE the honour to transmit to your Lordship two Orders which have been passed by His Majesty in Council on the 19th instant; the one confirming an Act passed by the late Governor, Council and Assembly of the Island of Jamaica, for the Abolition of Slavery in that Colony; and the other, declaring that adequate and satisfactory provision hath been made by law in the said Island, for giving effect to the British Act of Parliament by such further and supplementary enactments as are therein mentioned.

I have, &c.

(signed) *E. G. Stanley.*

Enclosure in No. 10.

SLAVERY ABOLITION ACT.—Copy of ORDER in COUNCIL, declaring that adequate and satisfactory provision has been made by Law, in the Island of *Jamaica*, for giving effect to an Act of Parliament made in the third and fourth year of His present Majesty, for the ABOLITION of SLAVERY in the Colonies.

At the Court at Saint James's, the 19th of March 1834;

Present,

The KING's most Excellent MAJESTY in Council.

WHEREAS by an Act of Parliament made and passed in the third and fourth year of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, That from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in the said Colonies respectively, shall on or before the 1st day of August 1834, have been duly registered as slaves in any such Colony, and who, on the said 1st day of August 1834, shall be actually within any such Colony, and who shall by such registries appear to be, on the said 1st day of August 1834, of the full age of six years or upwards, shall by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers: And whereas by the said Act it is further enacted, that subject to the obligations imposed by the said Act, or to be imposed as therein mentioned, upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within any such British Colony as aforesaid, shall, upon and from and after the said 1st day of August 1834, become and be, to all intents and purposes, freed and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is thereby utterly and for ever abolished and declared unlawful throughout the British Colonies, Plantations and Possessions abroad: And whereas by the said Act it is provided, that the Lords Commissioners of His Majesty's Treasury may raise the sum of 20,000,000*l.* sterling towards compensating the persons entitled to the services of the slaves to be manumitted and set free by virtue of the said Act, for the loss of such services:

And whereas in the said Act it is recited, that various rules and regulations are or may be necessary for the purposes therein specified, and that such regulations could not without great inconvenience be made except by the respective Governors, Councils and Assemblies, or other Local Legislatures of the said respective Colonies, or by His Majesty with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; and it is therefore by the said Act enacted and declared, that nothing in the said Act contained should extend or be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other Local Legislatures as aforesaid, or by His Majesty with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect:

And whereas it is by the said Act further enacted, that no part of the said sum of 20,000,000*l.* sterling shall be applied or shall be applicable to the purposes therein aforesaid, for the benefit of any person entitled to the services of any slave in any of the Colonies therein aforesaid, unless an order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law, in such Colony, for giving effect to the said Act by such further and supplementary enactments as therein mentioned; nor unless a copy of such Order in Council, duly certified by one of the clerks in ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being, for their or his guidance or information; and every such order shall be published three several times in the London Gazette, and shall be laid before both Houses of Parliament within six weeks next after the date thereof, if Parliament shall be then in Session, and if not, within six weeks from the then next ensuing Session of Parliament:

And whereas, in order to carry into effect the objects of the said recited Act, an Act hath been passed by the Governor, Council and Assembly of the Island of Jamaica, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the manumitted Slaves, and to declare the 52d Geo. 3, c. 155, in force in this Island:"

And whereas, by the said Act of the Governor, Council and Assembly of the Island of Jamaica, it is enacted, that from and after the 1st day of August 1834, all persons who in conformity with the laws in force in the said Island, shall, on or before the said 1st day of August 1834, have been duly registered as slaves in the said Island, and who, on the said 1st day of August 1834, shall be actually within the said Island, and who shall by such registries appear to be, on the said 1st day of August 1834, of the full age of six years or upwards, shall by force and virtue of the Act now in recital, and without the previous execution

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execution of any indenture of apprenticeship or other deed or instrument for that purpose, become and be apprenticed labourers:

And whereas by the said Act now in recital, the same obligations are imposed on the said apprenticed labourers as are imposed upon them by the said Act of Parliament; and by the said Act now in recital it is further enacted, that subject to the obligations imposed thereby upon such apprenticed labourers, all and every the persons who, on the said 1st day of August 1834, shall be holden in slavery within the said Island, shall, upon and from and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be freed from their birth, and that from and after the said 1st day of August 1834, slavery shall be and is thereby utterly and for ever abolished and declared unlawful in the said Island of Jamaica:

And whereas His Majesty, by and with the advice and consent of His Council, hath by an Order in Council, bearing even date herewith, been pleased to confirm the said Act of the Governor, Council and Assembly of the Island of Jamaica: And whereas the said Act of the Governor, Council and Assembly of the Island of Jamaica, doth contain divers further and supplementary enactments establishing rules and regulations for the purposes hereinbefore mentioned, to be specified in the said recited Act of Parliament, and it is considered by His Majesty in Council, that adequate and satisfactory provision hath been made by law, in the Island of Jamaica, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein mentioned, according to the true intent and meaning of the said Act:

His Majesty is therefore pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, That adequate and satisfactory provision hath been made by law, in the Island of Jamaica, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned. And the Right honourable the Marquess of Lansdowne, the President of His Majesty's Privy Council, and the Right honourable Edward G. S. Stanley, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

(signed) *C. C. Greville.*

—No. 11.—

COPY of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Stanley.*

No. 11.

Sir, King's House, Jamaica, 10 May 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of 20th March last, numbered 6, inclosing two Orders of His Majesty in Council, passed on the 19th of that month; one confirming an Act passed by the late Governor, Council and Assembly of the Island of Jamaica for the Abolition of Slavery in that Colony; and the other, declaring that adequate and satisfactory provision hath been made by law in the said Island for giving effect to the British Act of Parliament, by such further and supplementary enactments as are therein mentioned.

I immediately ordered the confirmation of the Jamaica Act for the Abolition of Slavery to be entered on the margin of the record in the Secretary's office, and due publicity given thereto; and I issued a proclamation, of which a copy is herewith inclosed, embodying the Order declaring that adequate and satisfactory provision had been made by law in this Island for giving effect to the British Act of Parliament by such further and supplementary enactments as are therein mentioned.

This course I pursued from my construction of the 23d and 44th clauses of the Act of the Imperial Parliament, in which I was supported by the opinion of my counsel.

I have, &c.

(signed) *Sligo.*

Enclosure in No. 11.

Enclosure in No. 11.

Jamaica, ss. A PROCLAMATION

By His Excellency the Most Noble *Howe Peter* Marquess of *Sligo*, Knight of the Most Illustrious Order of Saint Patrick, and Member of His Majesty's Most Honourable Privy Councils in England and Ireland, Captain-General and Governor-in-Chief of His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

WHEREAS it has pleased His most gracious Majesty to select me to discharge the momentous duties of the government of this Island; being well aware of the constant solicitude and anxiety, connected with early recollections, of His Majesty for the welfare of this most

most important appendage to his dominions, being myself connected with it by the ties of property and regard, and my interest being therefore inseparably identified with the prosperity and happiness of all classes of the community, it affords me the highest gratification to be enabled, immediately on my arrival, to announce the satisfaction of His Majesty's Government at the enactments of the Legislature for the effectual Abolition of Slavery, and the supplementary details necessary during the contemplated intermediate state of apprenticeship. By these measures, the right of the Colony to its share of the compensation is now rendered indefeasible.

I do confidently rely that the readiness evinced by His Majesty's Government to give effect to the praiseworthy and judicious measures of the Legislature for the establishment of a social system, absolved for ever from the reproach of slavery, will stimulate the class for whom this great boon is secured, to voluntary and effective industry, and that by their zeal in the discharge of the duties required from them in the probationary state necessary previous to their entire and final enfranchisement, they will evince that gratitude to their masters for the sacrifices made mutually by them and by the British Government which the magnitude of the difficulties attending the consummation of it entitles them to expect. Fervently entertaining this hope, I cannot, however, refrain from adverting to the calamity and misery to themselves which a different line of conduct, arising as it could only do from a misconception on the part of the labouring population of the intention to improve their future condition, would inevitably entail upon them. Such a misconception, however, I cannot bring myself to consider probable. I trust that it has been averted by the zealous and unceasing efforts made by my respected and noble predecessor to explain to them that such misconduct alone could mar the completion of all that has been designed in their favour.

I cannot, however, too strongly express my anxiety that they may continue to merit the favourable report which he has engaged to make to His most gracious Majesty of their obedience to their masters, and cheerful diligence in their service, assuring them that they will always find in me a friend as solicitous for their welfare as my noble predecessor, and determined to fulfil all those assurances which he has at various times made to them.

In the great change about to take place, nothing can conduce more to its happy consummation than unanimity and good feeling amongst all classes. Complexional distinctions are now at an end, and former causes for dissatisfaction have ceased to exist.

My stake in the Colony, my consequent personal interest in its welfare, and my earnest desire, added to my duty, to gratify my Sovereign's wishes for its prosperity, ensure the entire devotion of the energies of my mind to all such measures as may lead to the happiness and permanent tranquillity of the Island, and for giving the fullest effect to those legislative regulations which entitle the Colony of Jamaica to the unmixed approbation of every member of the British Empire.

Given under my hand and seal at arms, at Saint Jago de la Vega, this 10th day of April, in the fourth year of His Majesty reign, A.D. 1834.

(signed) *Sligo.*

By His Excellency's command,

W. G. Nunes, Secretary.

—No. 12.—

Copy of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Stanley.*

Sir, King's House, Jamaica, 27 May 1834. No. 12.

I have the honour to enclose herewith for your information, four copies of a letter of advice which I have addressed to the negro population, and which I have directed should be read to the people upon the several estates and properties in this Island.

I have, &c.

(signed) *Sligo.*

Enclosure in No. 12.

To the Negro Population of the Island of Jamaica.

My Friends,

Our good King, who was himself in Jamaica a long time ago, still thinks and talks a great deal of this Island. He has sent me out here to take care of you and to protect your rights; but he has also ordered me to see justice done to your owners, and to punish those who do wrong. Take my advice, for I am your friend; be sober, honest, and work well when you become apprentices; for should you behave ill and refuse to work because you are no longer slaves, you will assuredly render yourselves liable to punishment. Enclosure in No. 12.

The people of England are your friends and fellow-subjects; they have shown themselves such by passing a Bill to make you all free. Your masters are also your friends; they have proved

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proved their kind feeling towards you all by passing in the House of Assembly the same Bill. The way to prove that you are deserving of all this goodness is by labouring diligently during your apprenticeship.

You will on the 1st of August next no longer be slaves; but from that day you will be apprenticed to your former owners for a few years, in order to fit you all for freedom. It will therefore depend entirely upon your own conduct whether your apprenticeship be short or long; for should you run away, you will be brought back by the maroons and police, and have to remain in apprenticeship longer than those who behave well. You will only be required to work four days and a half in each week; the remaining day and a half in each week will be your own time, and you may employ it for your own benefit. Bear in mind that every one is obliged to work. Some work with their hands, others with their heads; but no one can live and be considered respectable without some employment. Your lot is to work with your hands. I pray you, therefore, do your part faithfully; for if you neglect your duty, you will be brought before the magistrates whom the King has sent out to watch you; and they must act fairly and do justice to all, by punishing those who are badly disposed. Do not listen to the advice of bad people; for should any of you refuse to do what the law requires of you, you will bitterly repent it, when, at the end of your appointed time, all your fellow labourers are released from apprenticeship, you find yourselves condemned to hard labour in the workhouse for a lengthened period, as a punishment for your disobedience.

If you follow my advice and conduct yourselves well, nothing can prevent your being your own masters, and to labour only for yourselves and your wives and your children, at the end of four or six years, according to their respective classes.

I have not time to go about to all the properties in the Island, and tell you this myself. I have therefore ordered this letter of advice to be printed, and ordered it to be read to you all, that you may not be deceived, and bring yourselves into trouble by bad advice or mistaken notions.

I trust you will all be obedient and diligent subjects to our good King, so that he may never have cause to be sorry for all the good he has done for you.

Your friend and well-wisher,

(signed) *Sligo*,
Governor of Jamaica.

—No. 13.—

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to the Marquess of *Sligo*.

No. 13.

My Lord, Downing-street, 15 July 1834.

I have the honour to acknowledge the receipt of your Lordship's Despatch of the 27th May last, and to convey to you my approval of the letter of advice which you have addressed to the negro population respecting their duty as apprentices.

I have, &c.

(signed) *T. Spring Rice.*

—No. 14.—

Extract of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Stanley*; dated The King's House, St. Jago de la Vega, 28th June 1834.

No. 14.

On the 26th June I opened the new session; the House of Assembly suspended one of their standing Orders, by which they were enabled on that day to go through the first and second readings on the committee and the report on the Police Bill; as well as to restore to the state they were in previous to the prorogation several Bills which were in a state of advance. Yesterday the Bill was sent over to the Council, passed with some amendment, and received my consent in the evening. It is therefore now a law. I have directed, as usual, a copy of it to be prepared in time for this packet.

Act printed in a separate Appendix.

— No. 15. —

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No. 15.

Copy of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*.

Sir, King's House, St. Jago de la Vega, July 22, 1834.

IN reference to Mr. Stanley's Despatch, under date 20th February last, I have the honour to inform you, that the objections therein made to the Act for the Abolition of Slavery in Jamaica, passed here last year, and marked Nos. 1, 2, 4, 5, 6, 7 and 9, have been provided for in an Act passed in the short session just terminated, and intituled, "An Act to amend and explain the Act fourth William Fourth, chap. 41, for Abolition of Slaves in Jamaica, in consideration of Compensation."

The Act printed in a separate Appendix.

For the objection, No. 3, no remedy has been devised, nor do I very well see how a clause could be contrived, which, giving to the magistrates and constables only the powers they would have over free men, would at the same time enable them to compel the due execution of that part of the law in question for which they have been specially appointed; namely, the settlement of differences between apprentices and masters relative to the portion of work which the former are by law bound to do for the latter.

The Act for the Abolition of Slavery having created a new state of society, and having imposed duties on the apprentices quite inconsistent with absolute freedom, it appears impossible that an Act confining the powers of magistrates to their ordinary powers over free men, could be efficient under the new system.

But as no punishments can be inflicted without the authority of a special magistrate on an apprenticed labourer, the only case in which an abuse of the powers now given to the owner in the Act is possible, is by a capricious and arbitrary confinement of such apprentice. Now, the Abolition Act provides, I think, sufficiently against this, because it decrees that in no case shall an apprentice be confined more than 24 hours. If the attendance of a magistrate cannot be procured before the expiration of that time, the man *must be released*, and to prevent an abuse even of this limited power, the Act further provides that though the man must be released, the *complaint must be preferred* the first time a magistrate can be procured; I trust that this power cannot under all these guards be much abused, but at the same time I do not see how the third objection can be removed by any legislative enactment, which will leave to the magistrate authority to compel the apprentice to perform his lawful task.

With respect to the eighth objection, the House of Assembly at once negatived any amendment, and I hope, that on mature consideration, you will have reason to regret this. I must confess, that were I an independent member of the legislature, I should not have consented to remove it. I am confident that where the character of the negro is known, it must be thought that it would not be an expedient alteration. At all events it is not my fault that it was not altered.

I have further to call your attention to the fact, that although there was no legal enactment to compel proprietors of estates to furnish their slaves with medical attendance, a clause has been introduced into this Act to render it necessary that the apprentices should have the same medical assistance, as that which they had enjoyed as slaves.

As this Despatch relates entirely to the law to amend the Abolition Act, it may, perhaps, be proper for me to direct your observation to one clause in it, which is of a novel nature, and that is to allow a compromise to take place before a special magistrate, between the master and apprentice, as to their allowance of clothing. A great number of them, in fact almost all the superior negroes, have for some time past been in the habit of selling the regular estate's clothes the moment that they get them, and buying much nicer ones themselves. Now, in my opinion, nothing is so likely to promote industrious habits among them, as to create artificial wants. Here is an artificial want ready created; I think it very adviseable that it should be encouraged by this clause, which I understand will give satisfaction to the negroes, and not injure, but rather benefit the proprietor. Under this consideration, and thinking that the Bill itself in every other point met Mr. Stanley's views, as expressed by him in the Despatch I have alluded to, I gave The King's consent to it at once; I trust that you will approve of my having so done.

I have, &c.

(signed) *Sligo*.

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—No. 16.—

No. 16.

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo*, dated Downing-streeet, 15 January 1835.

I HAVE great satisfaction in announcing to your Lordship, that His Majesty has been graciously pleased to accept the Act for the Amendment of the Slavery Abolition Act, as a satisfactory compliance with the advice conveyed to the local Legislature by Lord Stanley in obedience to His Majesty's commands. I remark, however, that the operation of these amendments is, by the final clause, limited to the 31st December of the present year, although the Act of which it is an amendment will continue in force till the expiration of the apprenticeship. This is a very serious ground of objection, nor can His Majesty's Government consider the Legislature of Jamaica as having fully acquitted themselves of the duty to which they were called, until the amendments shall have been rendered as enduring in point of time as are the original enactments.

—No. 17.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right hon. *Thomas Spring Rice*, dated The King's House, St. Jago de la Vega, August 13, 1834.

No. 17.

I HAVE the happiness to inform you, that the reports which I have received from all quarters of the state of the Island have been most satisfactory.

You will have, ere this reaches you, I trust, received my short note, sent *via* New York, communicating to you the tranquil state of this immediate neighbourhood. It was written on the 4th and sent by the Renown schooner; I am now happy to be able to confirm that report, and to add, that in all parts of the Island, with the exception alone of Saint Ann's parish, the transition from slavery to apprenticeship has been effected in the most satisfactory manner. It is a remarkable feature in the progress of that transition, that the 1st of August was devoted in most parts of the Island to devotional exercises. In the sectarian chapels the service was performed several times in the course of the day. In fact, as long as a fresh succession of auditors presented themselves. It has been generally remarked, that hardly a drunken man was seen in the streets on that day; the Saturday was divided between business and pleasure: they were fully aware that the next day's market would be abolished, and in consequence of this, being an holiday besides, the markets on that day have been remarked every where to have been unusually large. Towards evening the streets were crowded with parties of John Cause Men and their usual noisy accompaniments. At night in some of of the towns there were fancy balls, in which the authorities of the Island, past and present, were represented. Several individuals in the towns had given dinners to their new apprentices on the previous day, and on very many of the estates steers were killed by the proprietors and given to the negroes, besides their usual holiday allowances of sugar, rum and salt fish; so that within the country and the towns the apprentices had their due share of amusements. On Sunday the places of worship were again unusually crowded, and the day passed over in the most orderly and quiet manner. My reports from all parts of the Island, with the exception of St. Ann's alone, state that on Monday the apprentices turned out to their work with even more than usual readiness, in some places with alacrity and all with good humour.

On Thursday morning the 7th, I received a letter by express from Mr. Walker, the member for St. Ann's, residing at Shaw Park in that parish, to say that the apprentices on his estate and those around him had refused to work without payment, had threatened him with their own law, and shewn the most insubordinate spirit. The post arriving the same morning and bringing me several letters from that neighbourhood all to the same effect, I found that this system had extended over a great part of the east side of the parish, and felt that unless a stop was promptly put to this sort of refractory conduct, it might spread all over the Island and create considerable embarrassment; in order to check it, I determined on sending off Colonel Macleod, the Deputy Adjutant General, with two companies of the 37th, in the Rhadamanthus, to Ocho Rios close to Shaw Park, Mr. Walker's place. They accordingly embarked that night, and proceeded to sea the next morning;

morning; they reached Ocho Rios on the 9th before daylight, and were instantly landed; the effect produced by their sudden apparition was very great, but, strange to say, even with that effect it became necessary to punish a vast number of the negroes, as well by flogging as confinement in the workhouse. When asked to work they uniformly refused. The addresses of the magistrates, however, backed by the presence of the troops, at last restored good order, and Colonel Macleod returned here yesterday in the Rhadamanthus with his men. I have, however, directed one company more than usual to be quartered there till further orders. The Maroons from Accompong and Scots Hall, I have directed to remain there also under the orders of Mr. Connor, who is directed to send them home the moment that all is quite right there. From what Colonel Macleod has informed me, I am confident that as soon as the misunderstanding is got rid of they will be quiet, unless forced into rebellion by the conduct of the overseers, and I am sorry to say many of the masters and managing attornies. My letters by yesterday's post have confirmed this opinion, as there have been several petty disturbances, attended with cases of punishment in St. James's, Westmorland and St. Elizabeth, in almost every instance caused either by the intemperate conduct of the overseers or exaction by the proprietors or managers. The mothers have been refused time to suckle their children, the usual old women as nurses have been withdrawn, the field cooks have been withdrawn, the paths leading from their huts to their provision grounds have been stopped. Many instances of discontent for similar causes have been reported to me from Saint Thomas in the East, but except in those parishes above named, nothing can equal the good temper and tranquillity with which all is going on.

The transactions of the last few days have shewn me, that my opinion as to the necessity of more magistrates, I mean special justices, was well founded. I must endeavour to find out some persons unconnected with apprentice property to nominate as such without salary; if I find them, which is doubtful, they may act for a few weeks, but I fear they will not move about as a special magistrate ought; in fact, as they are not paid for so doing, it is hard to expect that they should, and thus the business will, I fear, not be done; I must, however, do the best I can, till I receive further instructions from you.

No. 18.

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to the Marquess of *Sligo*.

My Lord, Downing-street, 3 Oct. 1834. No. 18.

IT is my gratifying duty to inform your Lordship, that I have laid your Lordship's Despatch of the 13th August before The King, and that I have been honoured by the commands of His Majesty to express his approval of your conduct.

It is most satisfactory to His Majesty to find, that in the important Colony over which your Lordship presides, the momentous change affected in the social system by the Acts lately passed, has taken place in Jamaica without any serious inconvenience, except in the parish of St. Ann, to which I shall hereafter more particularly advert. His Majesty is disposed to attribute this result not only to the prudence and good sense manifested by your Lordship, but to the cordial and zealous co-operation of the various classes of His Majesty's subjects in one common object essential to their future happiness and well-being. Your Lordship is authorized to express His Majesty's approbation to the various persons under your Lordship's command, as well as to such private individuals as have manifested by their conduct a desire to carry into full and effectual operation the measures of Parliament and of the Colonial Legislature. His Majesty trusts, that the wise and considerate spirit which has been shewn on the present occasion may be continued, and may lead to the promotion of good-will and harmony between the proprietors of land and the apprenticed labourers, and may thus secure the prosperity of the Island and the maintenance and extension of productive industry.

It is most painful to His Majesty's feelings to learn, that in the parish of St. Ann there should be found any exception to the gratifying reports received from other parts of the Island; and His Majesty's concern is greatly aggravated by being informed, that the conduct of some proprietors, managing attorneys and overseers, has been cruel and oppressive. That any individual should have been found at once so forgetful of their duties and so blind to their real and permanent interests, cannot but excite His Majesty's disapprobation and astonishment.

 I trust

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I trust, however, that the cases to which your Lordship has alluded may be considered but as exceptions to a general rule. But whether those cases are few, as I am most anxious to believe, or whether many, it becomes the duty of your Lordship, as I am convinced it will be consistent with your wishes, to take care that they are not passed over or allowed to remain unpunished. The duty of protecting the apprenticed labourer from any acts of unnecessary violence or cruelty, devolves on the authorities appointed to administer the law. To this important object I feel it right to call your Lordship's immediate and most serious attention, with a perfect reliance on your disposition to direct such proceedings as circumstances may require. Upon this subject I shall expect future communication from your Lordship.

I shall not hesitate at any time to direct or approve of the strongest measures which may be required, in order to repress insubordination and to enforce the labour of the apprentice; but in order to give full effect to such measures when indispensably necessary, it should also be proved to the satisfaction of the apprenticed labourer, that the same law which will be enforced against him, will also be enforced for his protection; that the duties and obligations of all classes must be performed strictly, and that any deviation from those obligations and duties, whether on the one side or on the other, will be impartially made the matter of condemnation and of punishment. It will therefore be your Lordship's care to impress on the minds of all with whom you may communicate, that whilst the labour of the apprentice is secured for the benefit of his employer, so his rights must be respected and his legal claims attended to, with attention to the principles of good faith and justice.

I should be most reluctant to imagine that these remarks and directions could apply to any but a small number of persons in Jamaica. The transition from a state of slavery to one of modified freedom may be in some cases difficult, but your Lordship will not fail to call the attention of those to whom the observation may apply, to the strong and urgent necessity there exists of pursuing such a course during the period of apprenticeship, as may render the further change to unrestricted freedom safe and satisfactory. This cannot be effected without a wise and generous forgetfulness of past distinctions, and without an effort made ungrudgingly and cheerfully on the part of all, not only to act on the letter of the statute for abolishing slavery, but to carry the spirit of that statute into full effect. To ensure the faithful application of these principles, the cordial and earnest co-operation of all classes is required, and from the general tenor of your Lordship's Despatches, that co-operation will, I trust, be given. To the proprietors themselves this is of paramount importance; and they are interested, no less than the apprentices, in guarding against any case of cruelty and oppression. These particular cases cannot remain concealed any more than they ought to remain unpunished, and general conclusions may be unfairly drawn from instances of misconduct which all persons of character and respectability condemn and deplore. On these grounds, on the score of principle and duty, with a view to their permanent interests, in consideration of the character which His Majesty's subjects in Jamaica must feel ambitious to maintain, I trust that your Lordship may command the assistance of the inhabitants of the Island in redressing every well-founded cause of complaint, as well as in overcoming every attempt at insubordination or resistance to the law.

I have, &c.

(signed) *T. Spring Rice.*

—No. 19.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*, dated The King's House, St. Jago de la Vega, October 4, 1834.

No. 19.

I HAVE the honour to state for your information, that the only act of violence which has accompanied the transition from slavery to comparative freedom, occurred at Belvidere a few days ago, and that the nature of it turned out on investigation to be nothing more than the ebullition of the moment. I heard of it

it on my return from my trip round the Island, but I determined on not making it the subject of a Despatch, until I could ascertain the real truth. The result has proved that my anticipations were correct.

As soon as I heard of the affair, I sent Colonel Gregg down to assist the magistrates in the investigation. He is Inspector of Police for the county of Surrey.

It appears that in consequence of the determination of ——— to enforce, by means of withdrawing from the negroes their usual allowances and indulgences, they had become very generally discontented, turned out late to work, and had given cause for the attendance of the special magistrate. Mr. Lyon, the newly appointed special justice was accordingly called in, and found cause to order several of the apprentices to be committed to Morant Bay workhouse, for the purpose of ulterior punishment. Those who, on inquiry, appeared culpable, were placed in the boiling-house, as the most secure room in which they could be detained till sent down to the gaol. It appeared that certainly a very bad and ungrateful spirit existed amongst the negroes, who have always been proverbially well treated, and that the attempt to enforce the additional six hours work in the week, had raised so angry a feeling in their minds, that they entirely forgot all the good treatment they certainly had formerly received. One of the negroes in confinement called out to those outside, who were talking to them through the windows, that if they would burn the trash houses all the prisoners would easily escape. Several to whom this was said refused to commit the crime, and the negroes who were to go to gaol, were brought out by the police to be marched off. Just as they were moving, an old woman, named Christian Mowatt, 70 years of age, and the estates midwife, addressed the other negroes, and called upon them in the most excited manner, not to allow her three children to be sent to the workhouse; that this was the third time they had been sent there since Christmas. She used the most violent language and impassioned gestures, the only apparent effect of which was, that nearly all the negroes followed the police with the prisoners, either for the purpose of rescuing them or accompanying them. I think that they had the intention, if they found a favourable opportunity, of releasing them. While they were marching off, a sudden cry of fire was heard, and one trash-house appeared in flames. From the nature of the trash, being the dry expressed cane laid up for the next year's fuel, a frightful blaze instantaneously followed, and the second trash-house shortly after took fire also. Whether this last was from the flames of the first, or also done intentionally, does not appear. I suspect that it was not intentionally, but it was not clear. The only bad feature in the case was, that not an ordinary field negro would assist to put out the flames; the house servants and one or two of the principal tradesmen did; but neither did the estate constables, nor the drivers. On the contrary, the negroes all ran into the cane pieces to hide, and rather to prevent themselves being caught and forced to render assistance, and kept shouting while the combustion was going on. For a week no intelligence could be obtained as to who the actual culprit was, though all the negroes on the estate were present, having been assembled to hear Mr. Lyon's decision. At last it came out, that Robert Lewis, one of the apprentices of the estate, had done it at the instigation of another, named Blake. It appeared that Blake, one of the prisoners, had intreated Lewis to do so, after having asked several others who refused. I think that two others of the prisoners were concerned, but the magistrates have only committed Lewis and Blake to stand their trials for arson, and Christian Mowatt as an accessory before the fact. They will be tried at the next assizes.

The apprentices who were condemned to corporal punishment have since undergone it, and I am informed that the work of the estate is going on very well ever since. An attempt was made to inculpate Mr. Lyon, as having been the cause of the discontent.

I caused a most rigid examination to be entered into; and I am happy to state that he completely acquitted himself, and behaved with considerable firmness and self-possession.

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—No. 20.—

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo*, dated Downing-street, 30 December 1834.

No. 20. I HAVE received your Lordship's Despatch, dated the 4th October last, reporting the disturbances which had taken place among the apprenticed labourers on the Belvidere estate.

It is a subject of just congratulation that your Lordship exerted yourself with so much effect to reduce, within the precise limits of truth, the exaggerated accounts of this occurrence; for although the result of your inquiries is sufficiently painful, it at least dispels the rumours which had been propagated not only in the Colony, but in this country, respecting the character of the movement which had taken place. It now appears to have been an insulated act of misconduct, originating in causes exclusively local, and conducted with an entire absence of all concert amongst the labourers before or during the commission of the outrage.

It is also gratifying to receive so favourable a testimony to the judicious and resolute behaviour of Mr. Lyon, the special magistrate. That class of officers have duties to perform at once so arduous and so unpopular, that I am persuaded that your Lordship will gladly avail yourself of every fitting opportunity to encourage them in any meritorious exertions which they may make in the public service.

If the trials of the men charged with firing the trash-houses should have led to their conviction for the capital offence, your Lordship will have been called upon to discharge the painful office of deciding whether the extreme penalty of the law should be enforced against them; and I am convinced that you will not have shrunk from the performance of your duty on that occasion, however distressing on the one hand may have been the necessity of an inflexible administration of justice, or however unpopular on the other, a mitigation of the rigour of the law, should it have been required by a full consideration of all the circumstances of the case.

—No. 21.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*, dated The King's House, St. Jago de la Vega, 3 Nov. 1834.

No. 21. TWO Bills have been introduced into the Assembly; the object of the first of which was, to give the special commission *to all* the local magistrates; and that of the second, to enforce, *for payment*, the requisite additional labour of the apprentices.

The first Bill conferred the power in question *on all* the local magistrates, and was, of course, disallowed in the Council. Another Bill has been subsequently introduced; and I was requested to say whether I would assent to it or not. Its object was, to *authorize* me to appoint to the special commission in each parish a certain number of local magistrates, possessing apprentice property. I replied, that I had already authority to grant it, on my own responsibility, to any one I pleased; and that the Bill was therefore useless. They then asked me if I would appoint any such persons; and I told them that I would not, without special directions from you, as I considered my doing so would be contrary to the instructions I had received. In order to satisfy the gentlemen, I promised to take your opinion distinctly on the point. I have therefore to request that you would be kind enough to give me specific orders on the subject. I have informed them, that I cannot recommend the measure to you. With regard to the increase of labour of the negroes for payment, I have to state, that I feel the impossibility of the crops being taken off in the 45 hours per week, allowed by law; and that my reports from almost all quarters inform me, that the apprentices are most unwilling to work at all for hire. Feeling, with the proposers of the Bill, how advantageous such a measure would be to the sugar growers, I still, however, considered it to be in such direct violation of the Abolition Act, that I could not give my assent to it.

— No. 22. —

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No. 22.

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right honourable *T. Spring Rice*; dated The King's House, St. Jago de la Vega, 29 Nov. 1834.

THE House of Assembly sent a message to the Council, requesting a conference for the purpose of agreeing on an address to be presented to me by both bodies, asking me, in consequence of the insufficient number of magistrates, to appoint such local magistrates as I thought requisite to the special commission. The Council, feeling the necessity which certainly does exist for the appointment of more special magistrates, acceded to this proposal; and I don't see how they could refuse to do so. An Address, a copy of which I have the honour to enclose, was in consequence presented to me yesterday by both bodies, and I made to them the Reply which will also accompany this Despatch.

I cannot hope that your decision will be that I should accede to their wishes. In conscience I cannot do so.

Enclosed herewith I have the honour of sending to you a copy of the evidence taken before Mr. Barclay's committee. There are two other committees sitting, also taking evidence. I will endeavour to procure copies of them, and send them to you.

Enclosure in No. 22.

Jamaica, ss.

The humble Address of the Council and Assembly.

May it please Your Excellency,

WE, the Council and Assembly, being satisfied of the necessity of an increase in number of special Justices in this Island, request your Excellency will be pleased, as early as possible, to invest by special commissions such number of the local magistrates in each parish as your Excellency may deem sufficient to carry the provisions of the Abolition Acts into operation, and to enforce due order and subordination among all classes of His Majesty's subjects in this Island.

Enclosure in No. 22.

Passed the Council this 26th day of November 1834.

(signed) *T. J. Bernard*,
Clerk to the Council.

Passed the Assembly this 26th day of November 1834.

(signed) *Rich^d Barrett*,
Speaker.

Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

IN reply to the Address which I have just had the honour of receiving, I beg to state, that when I accepted the government of this Colony, I was quite aware that in addition to the difficulties of enforcing labour on persons newly released from slavery and its concomitants, I should naturally be much embarrassed in administering a law so much at variance with the received opinions and customs of its inhabitants.

It would be absurd in me not to avow that I have sensibly felt these difficulties, even in the short time which has elapsed since the new system has commenced; but I still hope, that if I meet with the co-operation I have been promised, they will vanish; if, however, that co-operation is withheld, from a misapprehension of my feelings and intentions, it will be impossible for me safely or successfully to administer the government of this Island; and the loss will fall on those from whom I expect the assistance. The evidence which has been produced before the Committee of the House of Assembly, it cannot be denied, is of so very contradictory a nature, that it appears to me to be impossible to come to a safe conclusion as to what the real state of the Island will be at the approaching important season.

That the number of special magistrates originally sent out from home was insufficient for the duties they had to perform, was my impression from the commencement; and in consequence of my representations on that subject, an additional number have been granted. Several of these have been already appointed by me from amongst the residents of this Island, and the rest, I am assured, will be sent out by the first opportunity. All the vacancies which have occurred since my arrival have been filled up by persons already established here, and I have strongly recommended to the Government their confirmation. Some of your local magistrates have been appointed by me to the special commission, and I have procured the unsalaried services of other persons eminently qualified for the duty. Between those now employed, and those whom I have the certainty of having in I trust not many days, at my disposal, there will be fifty persons qualified to act as special magistrates in this Island, and I anxiously hope that His Majesty's Government will, in consequence of my more recent representations, feel themselves justified in making a further increase in the number already appointed. At all events, I will send home by the present opportunity the expression of your joint opinions, which will, I am confident, meet with all the respect to which it is so justly entitled. I shall thereby learn whether I may be permitted to consent to the adoption of a measure which, I will frankly confess, I consider to be in direct opposition to the spirit of the Abolition Act and the intention of His Majesty's Government. It would be

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be impossible for me, consistently with the tenor of all my communications with the Colonial Office, to assent to it under present existing circumstances.

The safety of the Island, however, being entrusted to my charge, I am fully aware of the awful responsibility which rests on me. No step will therefore be taken by me without a patient and anxious consideration; but when my mind is made up as to the necessity of any measure, I shall not hesitate to act with vigor and determination.

House of Assembly, 13 November 1834.

Mr. Barclay, from the committee appointed to inquire into the working of the new system of labour, presented a Report, which was received and read, and is as follows:—

Mr. Speaker,

Your committee, appointed to inquire into the working of the new system of labour, and to report to the House what regulations are necessary to enforce the industry of the manumitted slaves, and what rate of wages would be equitable between the apprentices and their masters for extra time of labour,

Report—

That they have given their best consideration to the petitions referred to them from the parishes of Hanover, Trelawney, St. Elizabeth, and St. Thomas in the East, and that they have taken in solemn form the examinations of persons of the highest respectability and most extensive experience from different parts of the Island, which are hereunto annexed, upon the working of the new system of labour. In a few instances it has been considered as likely to answer; but the preponderating evidence compels your committee to come to the conclusion—

That the new system is not succeeding; that forty and a half hours of labour in the week are inadequate to enable the cultivation of the country to be continued; that the negroes are performing no fair proportion of work, even during that limited number of hours, and that during their own time very few of them will work for such rate of wages as sugar cultivation can afford to pay; that idleness and contempt of authority are daily becoming more apparent and alarming; that the pimento crop, the only article that has come to maturity since the 1st of August, has been, to a great extent, lost to the proprietors, from the impossibility of getting it gathered in; that the coffee crop, now commencing, is likely to share a similar fate; and that the prospect to the proprietors of sugar estates is still more desperate, in the certainty that their canes must rot upon the ground, from the absolute impossibility of manufacturing the juice into sugar during the limited number of hours which the factories can be kept in operation.

The failure of the system is attributed principally to the following causes:—

1st. To the domestic authority of the master (which formerly constituted the main controlling power) having been so entirely destroyed, that he cannot now exercise over the negro apprentices even the reasonable extent of authority which a master may in England over his apprentices.

2d. To the local magistrates having been, at the same time with the masters, deprived of all power and authority to aid in maintaining the peace of society, and in enforcing the law.

And lastly, To the altogether inadequate number of the stipendiary magistrates, and the unfitness of many of them to discharge properly the difficult and important duties entrusted to them, from their entire ignorance of the peculiar habits and dispositions of the negroes, or of the fair and reasonable quantity of labour which they are competent and ought to perform.

Other causes of minor importance have likewise been assigned. The conflicting modes of labour adopted by different proprietors; the equally conflicting decisions made by different magistrates; and a secret influence, not susceptible of legal proof, but clearly at work, to subvert the apprenticeship system by the simple but sure mode of exciting a combination among the labourers not to work for wages in their own time, but, as they themselves express it, to go by the law.

Your committee recommend, as the only means of saving the Colony from destruction, and giving some reasonable chance of success to the great experiment of Slave Emancipation:—

1st. That a more numerous and competent magistracy, possessing local experience and knowledge, be immediately appointed to preserve order, repress crimes, and enforce industry.

2d. That such amendments be made in the law as shall remove all ambiguity in it, by defining more minutely the relative duties and rights of apprentices and masters.

3d. That regulations be provided by law to secure, upon fair and equitable terms, between masters and apprentices, such reasonable time of labour for the working of the sugar factories, as shall ensure the safe gathering in of that great staple, upon which the prosperity of the Colony and the welfare of all classes are in a great measure dependent. This regulation your committee deem to be of paramount necessity, in order to guide an ignorant, idle and thoughtless people, hitherto accustomed to labour by coercion, into the way of working for their own benefit; and thus prevent the danger of their sinking into a state of indolence from which it might be impossible hereafter to raise them.

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Jamaica, Friday, 31st October 1834.

EXAMINATIONS on oath taken before a committee of the House of Assembly, appointed to inquire into the working of the new system of labour, and to report to the House what regulations are necessary to enfore the industry of the manumitted slaves, and what rate of wages would be equitable between the apprentices and their masters for extra time of labour.

Mr. Barclay.

Mr. Batty.	Mr. Panton.
Mr. Mais.	Mr. Dallas.
Mr. Campbell.	Mr. Shenton.
Mr. Turner.	Mr. Frater.
Mr. Watt.	Mr. Cox.

Examination of Mr. *Townson.*

ARE you concerned in the management of landed property?—I have been practically concerned for estates and labourers for 30 years.

Will you state to the committee from your experience, whether the system of labour established under the Abolition Act is succeeding or likely to succeed?—I think the system adopted by the Abolition Act would have succeeded to the extent of the labour required, if carried into execution by persons competent to judge of what was proper; but under the present management it is a total failure. Some magistrates understand the law and their duty better than others, and properties under their control are more orderly and correct. But speaking generally, there is a great want of knowledge as to what ought to be done, and a great reluctance to acquire the proper information, which is one cause why the system is not likely to succeed.

Are there any other causes to which you attribute the failure of the system?—Yes. The want of active controlling power; uniformity in the hours of labour. Accustomed formerly to work by the rising and setting of the sun as their guide, the labourer required no other direction; but they are now referred to specified hours for labour, which they cannot yet comprehend; the power of the master is now superseded by the authority of the magistrate. In one case under my charge, in a very populous district in St. Ann's, the magistrate has not visited an estate with 190 people but once since the 1st of August, although frequently required to do so; the consequence of which is, a gradual disorganization of order among the people. Shortly after the 1st August they were civil, well behaved and obedient, but from the want of the necessary control they turn out to work when they like, do what they choose, take what days they like,—in fact, do as they think proper.

Can you state any particulars as to the quantity of labour done now and formerly, during the hours they are at work?—Yes. Formerly seven labourers would strip the trash (dry leaves) from an acre of canes in a day; but on the property in question, it took 25 people one day last week to trash an acre of plant canes about ten months old, without any grass weeding; and as far as my observation goes, the quantity of labour in all field occupation is reduced nearly to the same scale.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—On every occasion within my knowledge, all interested parties have been most anxious to follow the law and adopt its provisions to the fullest extent, both in spirit and practice.

What number of hours out of the 24, would it be necessary to keep a sugar factory at work, to enable the crop of an estate to be taken off?—A continued process in sugar manufacture has always been considered most desirable, from the peculiar nature of the cane juice; but I consider it possible to manufacture the article with 18 hours of labour out of the 24, or even 16, but I doubt whether the sugar would be so good. It will certainly be more costly, from the additional fuel required to heat the furnace. Any intermission during those hours would be decidedly ruinous, as every stoppage affords time for the commencement of acetous fermentation, which is highly detrimental to the granulating process.

Have you found the emancipated slaves disposed voluntarily to hire themselves for a fair rate of hire?—I have offered a fair rate of wages, but the apprentices would not accept it.

What would you consider to be an equitable rate of wages between the apprentices and their masters for extra time of labour?—I formed a scale of wages for labour, taking into consideration what is necessary for the comfort of the labourer as well as what the master can afford to pay in the cultivation of sugar, taking at the average price of 30*s.* per 100 lbs., and I consider such equitable rate of wages to be one penny per hour for an able labourer, and a halfpenny per hour for young persons, which for an able person working 250 days at 10 hours each day, by the year will be 10*l.* 8*s.* 4*d.*, and a younger person 5*l.* 4*s.* 2*d.*

The question was meant to apply to the extra time of labour under the apprenticeship; what hire should be paid for it?—I consider 2*d.* per hour, under particular circumstances.

EXTRACT from Examination of Mr. *Thomas Glen.*

ARE you in the management of landed property, and to what extent?—I am; I have six properties under my charge, in Hanover, St. James's and Westmorland.

What number of apprenticed labourers are under your management?—About 1,300.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Not to my expectations.

Do you consider that there has been any unwillingness on the part of the managers of estates

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estates to enter fairly upon the new system?—I have seen no unwillingness, as far as I am acquainted with.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates, in the due performance of their duties under the law?—No.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—Not generally so.

What is now the general character of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—I have not known any instance of direct insubordination from them, unless taking upon themselves to go to the hospital, and refusing to leave it when directed to do so, against the authority of the manager and doctor, and also in the loss of time. They have never in my opinion worked any day for nine hours since the 1st of August. The three first weeks after that day the people under my charge generally behaved well, but after that day they became sullen, and did not work as they formerly had done.

Have you found the apprentices disposed to work for hire during their own time?—I have tried them, by a proposition to them to work during crop, but they refused to do so. I asked them if they would keep the factory going during breakfast and dinner hours; they replied, "No, they would go by the law." The people to whom I allude were the people among whom I had longest resided and best known, and who are as well-disposed apprentices as I have ever known, and from whom I consequently had the best expectations.

Has sugar been made upon any estate under your charge since the 1st of August?—Not up to the time of my leaving home.

Can the crop of a sugar estate be taken off and the field cultivation be continued, by the labourers upon it working 40 ½ hours in the week?—No.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation, to enable the crop to be taken off?—Provided the apprentices would work cheerfully and with good-will, at least 18 hours out of the 24, for five days in the week.

Do you, from your own knowledge and experience of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I fear not.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I think about two-pence per hour to the able people, and half that sum to the second gang.

Do you think it possible to carry on the manufacture of sugar under existing circumstances?—No, I do not think it.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—The question being of great importance, I have only to suggest that the present laws should be strictly enforced, and that the House of Assembly should bring in a Bill to vest the same authority in the local magistrates as the special magistrates have.

Extract from the Examination of Mr. *William Tharp*.

Are you concerned in the management of landed property, and to what extent?—Fourteen properties in Trelawney, Hanover, Westmorland and St. Elizabeth.

What number of apprenticed labourers are under your management?—About 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very indifferently.

Do you consider that there has been any unwillingness on the part of managers of estates to enter fairly upon the new system?—I have never heard of any; quite the contrary.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates, in the due performance of their duty under the law?—No.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour, during the limited time required by law?—No, certainly not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—They appear to be quite dissatisfied and sullen in many instances, and very touchy; so much so, that it is unpleasant for the white people to address them. I speak particularly of the properties under my charge in Trelawney. On my own estate in Westmorland, and the other properties under my charge in Hanover and St. Elizabeth, there appears to be a better feeling, but still not equal to their former general conduct.

Have you found the apprentices disposed to work for hire during their own time?—Some have promised, some have refused, and others replied to me, by stating that they would wait until they saw what other estates' apprentices would do.

Has sugar been made upon any estate under your charge since the 1st of August?—No.

Can the crop of a sugar estate be taken off, and the field cultivation continued, by the labourers working upon it 40 ½ hours in the week?—Decidedly not.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I should think 16 hours.

Do you, from your experience and knowledge of the negroes, believe that they will be induced

induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I certainly think not, unless they are bound to continue it regularly by some Act of the Assembly. It is very probable that many may be disposed to work for hire, but they are so fickle a character that they may agree to it one day and refuse the next. And uniformity and continuous labour must be preserved in the manufacture of sugar.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should consider at the rate of three halfpence per hour as the fullest extent that the master could afford to give.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—Certainly not to any profit.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—I should think the encouragement of emigration by all possible means; to check crime and vagabondage by effective laws quickly administered; to enlarge the power of the local magistracy to carry into effect the Abolition Acts (with amendments to secure continuous labour in crop time), in cases where the stipendiaries cannot attend; and to compel the special magistrates to administer the laws impartially.

Extract from the Examination of Mr. *William Carey*.

Are you concerned in the management of landed property, and to what extent?—I am concerned for thirteen estates in Trelawney, St. James, Hanover and Westmorland.

What number of apprenticed labourers are under your management?—About 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very indifferently.

Do you consider that there has been any unwillingness on the part of managers of estates to enter fairly upon the new system?—None.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—Certainly I do not.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the little time required by law?—They are not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No, they are not. They appear sulky and discontented generally.

Have you found the apprentices disposed to work for hire during their own time?—No, I have not; on the contrary, they have objected in every instance. I have made an offer to them. Some few came to me the other day in Westmorland, and offered to work if I would give them half a dollar a day, but not less. I asked if the whole would work at that sum. They replied, they could not tell.

Has sugar been made upon any estate under your charge since the 1st of August?—None.

Can the crop of a sugar estate be taken off, and the field cultivation continued, by the labourers upon it working 40 ½ hours in the week?—Certainly not.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—In some instances 16 hours; but in most instances the sugar crop could not be taken off without 18 hours continuous labour.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I do not.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should think at the rate of 1*s.* 8*d.* a day for an able negro; I mean a day of nine hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I think not.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—To encourage emigration by every possible means, give power to the local magistrates that the Abolition Law be more strictly enforced.

Extract from the Examination of Mr. *W. M. Kerr*.

Are you concerned in the management of landed property, and to what extent?—I am in the management of my own property, and another of which I am executor in the parish of St. James.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Indifferently.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—No, quite the reverse. I consider that they have done all in their power to carry the new system into execution.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—Not in the slightest degree.

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Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, they are not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No. In many instances they are very insolent, particularly the women.

Have you found the apprentices disposed to work for hire during their own time?—I have on my own estate. Within the last two weeks the men have been digging cane-holes at the rate of half a dollar a hundred in their own time. They commenced on Friday, after having performed their proportion of labour for me (say at half-past ten.) The job was completed by five o'clock the same day, and they were willing to engage a similar job at the same rate.

How many of your people engaged at this work?—About 14; but more were willing to engage had I required them.

Has sugar been made upon any estate under your charge since the 1st of August?—No.

Can the crop of a sugar estate be taken off, and the field cultivation continued, by the labourers upon it working 40 ½ hours in the week?—The crop cannot be taken off; and the cultivation of the estate with such limited time of labour must be considerably reduced.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I should say 16 hours might do. Not having tried it, it is impossible to say positively at present.

Do you, from experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I think they will always demand a higher rate of wages than we can afford to give. Could a certain fair rate of wages be fixed by the Legislature, I think it would be more likely to answer. Indeed, I think this absolutely necessary, as otherwise different wages given by different persons will always create dissatisfaction among the apprentices.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should say at the rate of 5*d.* for three hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—No, I do not. Taking in view the little work the apprentices at present do, and the limited time of 40 ½ hours per week, and the non enforcement of the law on the part of those to whom now it is exclusively left.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—I consider an increased number of magistrates as absolutely necessary, and some power to enforce their orders, so that the law may be fulfilled. At present there is no power on an estate for carrying into effect the magistrate's orders, and they are often disobeyed, which at once creates insubordination.

Examination of Mr. *Miller.*

Are you concerned in the management of landed property, and to what extent?—About twenty estates in Trelawney, St. James, Hanover and St. Ann's.

What number of apprenticed labourers are under your management?—About 4,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Not as well as I could wish.

To what cause or causes do you attribute its failure?—To the want of a sufficient number of special magistrates, and the power of the manager having been taken from him, and no sufficient authority substituted.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—None.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, I do not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—They are sulky, and do their work with reluctance; there have been many cases of disobedience, particularly among the women.

Have you found the apprentices disposed to work for hire during their own time?—No; they have refused to work for hire. I offered a dollar a barrel for the picking of pimento, and very few would do it.

What would that have given them a day?—At least 3 *s.* 4*d.*

Has sugar been made upon any estate under your charge since the 1st of August?—None.

Can the crop of a sugar estate be taken off, and the field cultivation continued, by the labourers upon it working 40½ hours in the week?—No.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—At least 18 hours of five days labour during the week.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I do not think so.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—For an able negro 1*s.* 8*d.* for every nine hours; for the second gang negro 10*d.* for nine hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—It is impossible.

Extract

EXTRACT from the Examination of Mr. *Robert Fairweather.*

ARE you concerned in the management of landed property, and to what extent?—Yes, to a pretty large extent in St. Mary's, St. George's, St. Ann's, St. Thomas in the Vale and Clarendon.

What number of apprenticed labourers are under your management?—Upwards of 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very badly.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—Decidedly not.

Do you know of the managers or proprietors of estates having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance under the law?—I certainly do not.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, not much more than half, generally.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—There is a kind of passive resistance, and in many instances they are becoming insolent and insubordinate.

Have you found the apprentices disposed to work for hire during their own time?—Partly so on some properties, and others not.

Has sugar been made upon any estate under your charge since the 1st of August?—Yes, on several.

What arrangements have you been able to make to keep the mills going, and for what number of hours out of the 24?—I have made arrangements for keeping the mill about twelve hours of each of the five days, with the people there, and in the boiling house; those in the latter to continue on for six hours more if there is liquor sufficient; and for so doing, those in the mill house, for their extra time, I give 3*s.* 4*d.* on each Saturday morning to the able hands, and to the weakly or young hands 1*s.* 8*d.*, and to the people about the boiling house, say the able hands 3*s.* 4*d.* and to the weakly or young ones 1*s.* 8*d.*, and to those in the boiling house an extra allowance at the rate of 5*d.* for three hours for any further extra time at night. Still I do not consider this time sufficient, and that we would require, for getting off the crop in proper time, to have, by the changing of spells, at least 18 hours out of the 24 for five days, beginning at four o'clock in the morning for the first spell, and going on for nine hours; the second spell taking it up from that time and working their nine hours also.

Taking the average of the estates under your management, what has been your weekly work by this mode of working, compared with what you formerly made?—As near half as possible.

At that rate, how is your crop to be taken off and the field cultivation continued?—The crop on the ground may be taken off, but the field cultivation cannot be continued in a proper manner.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I have already stated that I consider 18 out of the 24.

Do you, from your experience and knowledge of the negroes, believe that they would be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I very much fear they will not.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I have already stated at the rate of 5*d.* for three hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I do not.

Examination of Mr. *Thomas M'Neel.*

ARE you connected in the management of landed property, and to what extent?—Yes, to a considerable extent; I have the management of 18 properties, principally in Westmorland and Hanover, and St. Elizabeth.

What number of apprenticed labourers are under your charge?—About 3,800.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—So far as it has come within my own observation, very badly latterly.

To what cause or causes do you attribute its failure?—Principally to the want of a sufficient number of special Justices to enforce the law.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—Nothing of the kind has come within my own observation as regards persons intrusted with the management of estates.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates in the due performance of their duty under the law?—I do not.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—On some properties they are doing what I consider a fair and reasonable portion of work; but on a majority they are not doing at this present time over two-thirds of what I consider they should perform.

What is the general disposition of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—So far as I have

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I have observed, the negroes do not directly refuse to do what they are told; but they do it in such a reluctant manner as in former days would have been considered tantamount to opposition.

Have you found the apprentices disposed to work for hire during their own time?—I have asked them in some instances to do so, but they would not; their reply was, that if other estates would work for hire, they would do so.

Has sugar been made upon any estate under your charge since the 1st of August?—Yes; on three estates we have made a few hogsheads, but the crop has not regularly commenced.

Had you any extra time from the negroes in manufacturing that sugar?—Yes, they gave a few hours' labour, but would not take wages for it.

Can the crop of a sugar estate be taken off, and the field-cultivation continued, by the labourers upon it working 40 ½ hours in the week?—I do not think it possible to manufacture the produce in the 40 ½ hours; and it is my opinion, unless we get more labour, that one-half of the canes will rot on the ground.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I consider that not less than 18 hours out of the 24, for six days in the week continuous labour, would enable us to take the crop off.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—From what I have observed, I do not conceive that there is at this moment any disposition on the part of the negroes generally to work in their own time for wages.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should think at the rate of 1*s.* 8*d.* in crop time, for ten hours' labour for able persons.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I think it possible to carry on the manufacture of sugar, but not to an extent that would remunerate the proprietor.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—Unless the legislature enact a law which will compel the apprentices to work for a fair, reasonable and uniform price, in all cases where necessary during the progress of the crops (for 67 ½ hours of their own time in each week, which will make, with the nine the master is entitled to by law, 108 hours per week) to pursue the manufacture of the produce, I do not think it will be possible to continue the cultivation of the cane, or manufacture of sugar in this country; and it will, in consequence of the loss of the staple produce, be quite impossible for the proprietor to furnish the apprentices with the clothing and medical attendance as at present by law he is required to do.

Mr. M'Neel came before the committee, and stated, that since he gave his evidence on the 11th instant, he had received a letter from the overseer of Shrewsbury estate, a discreet and respectable manager, stating that he had commenced sugar-making on the 4th instant; that every thing went on well till breakfast-time, when the apprentices went in a body to their breakfast, leaving the mill and boiling-house unattended to. That some of the principal persons on the property interfered to prevent the others from hiring themselves to do any extra work at the factory. On this property we have been giving all the allowances as heretofore, and continue to boil pot daily for young children. We had on this property 47 children under six years of age on the 1st of August. Their nurses are also continued as before.

(signed) *Thos M'Neel.*

Examination of the Hon. *William Miller.*

You are a member of the Council?—I am.

Are you concerned in the management of landed property, and to what extent?—On the 1st of August I was in charge of 48 properties, on which there were upwards of 10,000 negroes, situated in the parishes of St. George, St. Mary, St. Ann, St. James, Hanover and Westmorland.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Badly.

To what cause or causes do you attribute its failure?—The new system, in my opinion, cannot work well, unless there are a few of the local magistrates, with equal authority in each parish, appointed to assist the special; they being well acquainted with the cultivation of the products of the country, and equally so with the peculiarity of the negro character, they would greatly assist the special in guiding them to a decision. It is impossible for a set of men to carry this great object into successful operation who are utterly unacquainted with the customs and feelings of a people, utterly unacquainted with the portion of labour that the apprentices are capable of performing, quite ignorant of the modes of cultivating the different products of the Colony, and equally so of our laws. It is impossible the new system can be carried on under such defective means, as the result of the short trial it has had has clearly shown. The apprentices continue to do little or no work; numerous faults have passed unpunished and even unreproved; crime has followed. For society long to continue in the state it is obviously rapidly verging to, will be impossible.

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Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—Not to my knowledge. In order to show my own anxiety for the working of the new system, I tender to the committee a circular I wrote to the overseers in charge of the properties under my management. "July 26, 1834. Sir,—The change which is about to take place in the condition of the labouring population will render the greatest circumspection in your own conduct necessary. You should always bear in mind that they will then be free; and not only subject to the enactments of the Abolition Law, but entitled to the privileges of the British law the same as yourself. Should they commit faults, which from their unacquaintance with the new law may be expected, before you attempt to have them corrected, be first convinced that they have proceeded from wilfulness, and not from misapprehension. I should consider it highly creditable to you to bring the new system into successful operation without an appeal to the special magistrates. A complaint from the apprentices against you in which you were found guilty would give me great concern, and you would incur my most serious displeasure. Continue all allowances the same as heretofore. Should I deem any alteration in this respect necessary, it can be done at the time I serve the apprentices with their annual supply of clothing. I think it not improbable that some difficulty may be experienced in obtaining watchmen; should this be the case, and you cannot arrange it otherwise, you may pay them at a rate not exceeding 1*s.* 3*d.* per night."

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates in the due performance of their duty under the law?—No.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—I have already stated that I do not think that they are.

What is the general disposition of the negroes, are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—I have weekly complaints from a great proportion of the managers under my charge; they are not turbulent; they turn out to their work, and do very little work.

Have you found the apprentices disposed to work for hire during their own time?—Only in one or two instances, and that for a few hours during the day. In the first instance the apprentices on some properties did agree to work during their own time, and they made a beginning, but afterwards refused to complete it.

Has sugar been made upon any estate under your charge since 1st August?—Yes.

What arrangements have you been able to make with the apprentices, and how many consecutive hours out of the 24 have you been able to keep the factory in operation?—On four estates, namely, Tryall, Brimmer Hall, Roslyn and Trinity, one set of hands commence work at four o'clock A. M., and work till twelve in the noon, when they are released by another, who work from that time till eight P. M. The mill is thus kept in operation for 16 hours consecutively; but the apprentices give no extra time of labour.

Can the crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working 40 ½ hours in the week?—Certainly not.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—Eighteen hours, provided you reduce the crop one-third.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—My agent, Mr. Stewart, offered wages to keep the mill about to the apprentices on the four estates I have before mentioned, but they refused to give any part of their time for wages. About a month ago I visited a large estate under my management when the mill was about. The apprentices there commence work at a little after six in the morning, and leave off at six in the evening. They insist upon taking three hours for breakfast and dinner. I served them with their annual allowance of cloth, and we were on the best terms. I pointed out to them the propriety of giving the children under six years of age some education, and to enable them to do so, I told them I had instructed the overseer to pay them for any extra time they might work either day or night; but that I was sorry to find that none of them had done so. They came forward and stated most decidedly, that they would not work beyond the hours laid down by the law. I understand that on Mr. Shirley's estates, for which I am concerned, the negroes work for wages on Fridays; but permit me to refer the committee to Mr. Shirley himself for particulars.

Are the estates under your charge as forward in their work, and in equally good cultivation as they formerly were at this season?—Certainly not. In consequence of the negroes not working some time previously to the 1st of August as formerly, the last crop was not finished for a month or six weeks later than usual; in consequence of which the cultivation of the cane fields fell back, and we have never been able to bring it up.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—At the rate of 1*s.* 8*d.* for nine hours during the day, and 2 *s.* 1 *d.* for nine hours during the night for able people.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—Certainly not.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society, and the continued cultivation of the estates?—I refer the committee to my answer to the 4th question.

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Can you inform the committee in what manner the apprentices have behaved in gathering in the late pimento crop?—I consider they have conducted themselves badly; they have done little or no work, in consequence of which a great quantity of the pimento crop has been lost on the properties I am concerned for. I lately visited Cardiffe Hall, a large pimento property; there were 140 hands employed in taking in the crop. They ought to have picked from 55 to 60 barrels, as they formerly did, instead of which the first day I was there, they brought in only 24 barrels. I remonstrated with the overseer, and told him to lecture the constables or head people. The second night they only brought in 23, and the third night only 22. I sent for the special magistrate, but as he could not immediately attend, I was obliged to leave the property before he came. Had I not assisted the property with Orange Valley people, a greater quantity of the crop must have been lost.

Examination of Mr. *George Gordon*.

Are you concerned in the management of landed property, and to what extent?—I represent altogether 30 properties, including my own in St. James, Hanover, Trelawney and Westmorland.

What number of apprentice labourers are under your charge?—About seven to eight thousand.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—It is succeeding to my satisfaction.

Are the field-labourers in your employ cleaning the canes at the same number per acre as they used formerly to do?—On some estates, making allowance for the difference of time established by law, the negroes are cleaning canes at the same number per acre as they formerly did. On other estates they are not doing it; but in the latter they have improved very much in their work within the last five or six weeks.

Do you find the work of the estates in the same forward state it generally was at this time of the year?—No, I do not; because one-fourth of the time for labour has been obstructed by law, and because there has been some interruption of work on every estate that I know, owing to the temporary excitement of the apprentices' minds in consequence of the great change in their situation, which excitement appears to me to have now subsided; and finally in consequence of a greater than an average portion of rain having fallen this year.

Are you able to continue the same extent of cane land in cultivation, and do you contemplate the possibility of doing so during the apprenticeship system?—No, I do not contemplate doing so during the apprenticeship system, and I shall reduce the number of acres of plant to be put in this fall.

Have you found the apprentices disposed to work for hire during their own time?—Yes, I have; wherever I have made a proposal to them they have dug cane holes at a certain rate, viz. in Hanover at 2*s*. 6*d*. for 100 cane holes, four feet square each; in St. James's, at 5*d*. for 10 holes, four feet square; in Trelawney I am giving 5*d*. for eight holes, four feet three inches square, on remarkably strong land.

What extent of land have you had dug in this manner on any one estate?—The greatest extent was nearly six acres up to the 1st November, on Old Retrieve Estate in Hanover, which was done in four weeks. I believe the apprentices have been digging since in their own time.

What proportion of persons on an estate engage themselves in this employment?—Except on one estate, I would say from one-half to two-thirds of the great gang.

Has sugar been made upon any estate under your charge since the 1st day of August?—No, not to any extent; the most has been two hogsheads on any one estate.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable a crop to be taken off?—On the estates which I am concerned for, I think 16 hours out of the 24 of continuous labour for six days in the week about the works would enable the crop to be taken off.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours labour for such rate of wages as you can afford to pay them?—I think they will.

What would you consider to be a fair and equitable rate of wages to be paid to them?—I consider the rate of 1*d*. per hour for extra labour in their own time would be a fair rate of wages to pay the apprentices.

Have you yet made the trial if they will work at that rate?—I have not.

Examination of Mr. *Thomas M*ᶜ*Cornock*.

Are you concerned in the management of landed property, and to what extent?—Yes, for eight properties in St. Thomas in the East.

What number of apprenticed labourers are under your management?—About 2,600.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very indifferently.

To what cause or causes do you attribute its failure?—In the first place I consider the law defective in some important points; the next, the number of special magistrates quite inadequate to perform the duties required of them; also from the proprietors and managers being deprived of all kind of control; in consequence of which a large proportion of the apprentices treat with indifference, and indeed with contempt those to whom they formerly looked up with kindly feelings and respect. Many of the apprentices enjoyed such great advantages

advantages as slaves that the new system does not make that difference in their condition they were led to expect. From these causes, they are extremely discontented, and adopt every means in their power to evade working during the very limited period required by law: insolence and insubordination have often followed the efforts made by the special Justices to enforce the law. Being secure of support from their masters during the apprenticeship, they are relieved from any necessity of being industrious, and therefore many of them will not be induced to labour for hire, however injurious this may be to the properties in which they reside. Another great evil is the different constructions the different magistrates have put on the law, and the opinions promulgated by what was thought good authority.

You say that turbulence and insubordination often follow the efforts of the special magistrates to enforce the law; how, then, do you consider the failure of the system to proceed from the insufficiency in number of the special magistrates?—I have known that the insolence and insubordination alluded to in my previous answer take place, as instanced on Belvidere and Golden Grove estates. Had the system been commenced with a sufficient number of special magistrates, the early deviation from discipline and propriety would have been considerably less.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—I do not, so far as has come under my own observations.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—None whatever, so far as I have known.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No.

What is the general disposition of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—As I have already stated, many of them are discontented and insubordinate.

Have you found the apprentices disposed to work for hire during their own time, and on what terms?—I have had no occasion to hire them out of crop; but to keep the manufacture of sugar in operation for the necessary length of time, I made this offer to them; to continue all their allowances, which far exceed what the law directs, and every other indulgence they have been accustomed to when slaves; also to support and clothe the free children, to pay for medical attendance upon them, and let their mothers and nurses attend them the same as when they were slaves, and to pay 10*d.* for every six hours of their own time, so as to enable me to keep the mill about 18 hours out of the 24; which offer they refused.

Did you immediately after the 1st August discontinue any of the allowances and indulgences granted under the old system?—None whatever. I proposed to the apprentices to continue to them all the allowances and indulgences as before, on condition of their working 4½ hours additional, to make 45 hours in the week, in which they acquiesced, except on two estates; the negroes said they would only work the 40½ hours, the time required by law, when they were told in that case they would only get what the law allowed them. Still the same indulgences of medical attendance and nurses waiting upon the children as before, are allowed to them.

Can the crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working 40½ hours in the week?—It is quite impossible.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuons operation to enable the crop to be taken off?—Generally speaking, 18 hours out of the 24 for five days in the week; on some estates less time may be sufficient.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I fear not. I think there will be great difficulty in inducing the greater number of them to work for an equitable rate of wages during their own time.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—If their present allowances are continued, at the rate of 1*s.* per day of nine hours for field labour, and 10*d.* for every six hours of night-work.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I have already said that sugar cultivation cannot be continued by the apprentices working only during the time limited by law.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—The remedy of the evil is enumerated in my answer to the fourth question.

Examination of Mr. *Farquharson.*

Are you concerned in the management of land property, and to what extent?—I am; I have charge of an estate in Vere, one in Clarendon, one in St. Andrew, one in Trelawney, three pens in St. Elizabeth, and a small coffee plantation of my own in the same parish.

What number of apprenticed labourers are under your charge?—About 1,100.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—So far as I am concerned, I have seen no alteration in their labour from what it was before.

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Are the field labourers in your employ cleaning the canes at the same number per acre as they used formerly to do?—That I cannot answer, not having made inquiry.

Do you find the work of the estate in the same forward state as it generally was at this time of the year?—Yes, I do.

Are you able to continue the same extent of cane land in cultivation, and do you contemplate the possibility of doing so, during the apprenticeship system?—I certainly do, as I have been in the habit of giving every Saturday, in and out of crop, on Wildman's estate.

You do not consider the diminution of the hours of labour to 40½ hours in the week is likely to diminish the production?—Not to any great extent on the properties I am concerned for.

What is the general disposition of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—I have heard of nothing to the contrary, and have only heard of a few instances of apprentices having been carried before the special Justice.

Have you found apprentices disposed to work for hire during their own time?—In one instance they refused, beginning of September last, at Salt Savanna, when I offered 1*s.* 8*d.* for their two half Fridays, when they said it was not sufficient. At Papine they have been digging cane holes at 2*s.* 6*d.* a day; and the overseer writes me, that they have dug in one day, one hundred and thirty cane holes for that sum. At Dundee, in Trelawney, the negroes in a body requested the overseer to write me to allow them to work ten hours a day, to which I consented, that they might hire themselves to the estate on the Friday, which they do at 2*s.* 1*d.* per day, working the extra half hour on that day, to make up the 40½ hours in the week. I have also agreed with them to allow them 2*s.* 6*d.* for every hundred cane holes. If they dig upwards of ninety a day in the four days, they will be paid for the overplus in the same ratio. I have also agreed for them to work extra hours during crop, at 5*d.* for every two hours. On my own property in St. Elizabeth, when I required them, they work for 1*s.* 8*d.* a day of nine hours.

Was the land at Papine, to which you have alluded, previously opened by the plough?—I cannot tell, as the overseer does not mention.

What proportion of people on that estate engaged in this labour?—Thirty-two hands digging cane holes at 2*s.* 6*d.* each, out of 135.

What number of acres have you had opened upon any one estate by the people in their own time?—We have only just commenced: on Salt Savanna the cane holes are dug with the plough; opened fourteen acres for a full plant in nine days, and then the overseer writes making as good work with the plough as with the gang.

What amount has any one negro earned in any one day, over the ninety cane-holes of tasked work, which you have mentioned in your answer to the ninth question?—I only made the bargain a few days since.

Has sugar been made upon any estate in your charge since 1st August?—None.

Can the crop of a sugar estate be taken off, and the field cultivation continued by labourers upon it, working 40½ hours in the week?—Certainly not.

What number of hours, out of the 24, do you consider it necessary that a sugar factory should be kept in continuous operation, to enable the crop to be taken off?—About 16 hours; from four o'clock in the morning, stopping the mill at seven, and boiling off.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I do, speaking of those under my charge.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labours, for extra labour in their own time?—Five-pence for every two hours.

Do you consider any alteration in the law, or the appointment of more special magistrates necessary, to insure the more successful working of the apprenticeship system?—The sixteenth clause does not state explicitly the allowance to be given. By doing so it would prevent any misunderstanding between the special magistrates, apprentices and employers. The 39th clause does not clearly define whether it is imperative on the proprietor or manager to release an apprentice that has been confined for 24 hours. In some cases the crime committed by an apprentice may be of so serious a nature, that it would not be safe to release the criminal until the attendance of a special magistrate. Sixty-third clause provides for the punishment of offences committed by slaves previous to 1st August, but not for the punishment of free persons. The Act does not provide for the education and religious instruction of the young apprentices, which, in my opinion, is indispensably necessary to insure the safety of the Island, after the expiration of the term of apprenticeship. I do certainly consider the number of special magistrates quite insufficient. In St. Elizabeth, five or six, in my opinion, would not be more than sufficient to perform the duties required in the 54th clause.

Extract of the Examination of Mr. *M'Daniel.*

Are you concerned in the management of landed property, and to what extent?—For two properties, a Coffee Mountain, and a pen in St. Elizabeth, with 87 apprentices.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Not at all well.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—I do not think there has.

Have you found the apprentices disposed to work for hire during their own time?—By no means; I have repeatedly offered them hire by the day or by the job, and they invariably refused.

refused. I offered them 1*s.* 8*d.* by the day of nine hours, or 40*s.* a chain for building stone walls, where the stones were abundant, and where they could have made good hire, giving them all the same allowances as formerly.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I have already said I have offered them 1*s.* 8*d.* a day, which I consider to be a fair rate of hire.

Examination of Mr. *H. Shirley.*

ARE you not the proprietor of certain estates in this Island?—Yes, of Hyde Hall and Elingdon, in Trelawney, on which there are between 600 and 700 apprentices.

What experience have you had in plantation management?—That experience only which an almost continued residence on his estates since the month of March last could give a proprietor the opportunity of obtaining, who had directed his whole attention to their management, to the conduct of the white people on them, and to the general behaviour and interests of the negro population on the above mentioned estates.

What is your opinion of the system established under the Abolition Act?—Insufficient in reference to the produce of estates in general.

To what cause or causes do you attribute its defects?—To the insufficiency of time, speaking as a planter.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—Most decidedly so; and in a cheerful and ready way. By my last accounts, the overseers wrote me that the apprentices on both estates were behaving in a most exemplary manner.

In the way your people are now working, how many persons to the acre do you take to clear your canes, and how many to give the bank?—I cannot speak as to the number necessary to give the bank, that fact not having come within my knowledge; but as regards the previous part of the question, I can state that at Elingdon the work per acre lately has not reached five to the acre; and as an instance of this, I will mention the fact that on a Saturday, 19 of the great gang cleaned four acres and a half, having of course worked all day for wages; at Hyde Hall, where the land is of much heavier description, my last reports informed me that eight people had cleared an acre on the average per day; but I think this is the minimum. On that estate I should generally say, that the work done has been at the rate of from eight to twelve per acre.

Do you find the work of the estates in the same forward state as it generally was at this time of the year?—Although I was not at Jamaica in any preceding year, I can certainly state, as far as my knowledge goes, that such is not the case; but this arises from the heavy seasons we have had in Trelawney, and from the inability experienced, during the last crop in hiring job-labour to keep up that number of the negroes considered necessary in Hyde Hall to keep the cane field clean, while the crop is being taken off. At Elingdon, where the soil is lighter, the cane field is much in its usual condition. I should state that at Hyde Hall the number of people in the field has been diminished ever since April last, in consequence of my drawing off hands from the first and second gangs to work the ploughs and attend the teams.

Are you able to continue the same extent of cane land in cultivation, and do you contemplate the possibility of doing so during the apprenticeship system?—As far as continuing the same extent of cane land in cultivation, I am contemplating the same quantity of land in plants as on any previous year, and shall endeavour to stand against the pressure of the times by continuing to do so, to the end of the apprenticeship system, which under the circumstances in which I am placed, I consider possible. I allude to the goodwill of the negroes, and their general readiness to work for wages, when called upon to do so.

Have you found the apprentices disposed to work for wages, and to what extent?—The people are paid at the following rates for each day's work, the length of which is, as in the old system, turning out at day-light and leaving off after sun-set, with the usual intermission for breakfast and dinner, the great gang, 2*s.* 6*d.*; second gang, 1*s.* 3*d.*; and the third, 5*d.*; but it must be remembered that in matters of allowance, I confine myself strictly to the law.

What arrangements do you make as to the legal hours of labour, and the extra time for which you hire the people?—The people work for me according to law, that is for 40 ½ hours in the week, taking the length of days in the year, one with the other, on Monday, Tuesday, Wednesday and Thursday, and on Friday, which is their own day, they, with very few exceptions, all turn out for wages; this happens but very partially on the Saturday. I should add, that they then realize my expectations of them, which expectations induce me to divide the time as I have done, in order to enable them to earn their money in their own time, which, when I arrived at a knowledge of my own people, I expected they would do.

Has sugar been made upon any estate under your charge, since the 1st of August?—No.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—My experience will not allow me to answer this question, considering the process of grinding and boiling are so intimately combined. I have purchased a very considerable number of mules this year, in order to expedite the operations of the day, and to have labour in the mill by night. In this way I have calculated, and I am informed that 18 hours work out of the 24, is sufficient, but that must be for six days in the week.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?— I have calculated that extra time at the rate above mentioned, but the overseer of Elingdon informs me that he thinks it may be obtained for less.

Examination of Mr. *William Reeves*.

ARE you concerned in the management of landed property, and to what extent?—Nine or ten estates, and pens in Trelawney and St. James.

What number of apprenticed labourers are under your management?—About 1,800.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very ill.

To what cause or causes do you atribute its failure?—To a deficiency in number of special Justices, and to their not sufficiently enforcing the law.

Do you consider that there has been any unwillingness on the part of managers of estates to enter fairly upon the new system?—On no occasion to my knowledge; quite the contrary.

Do you know of the managers or proprietors of estates having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—On the contrary, I have seen them anxiously looked for and could not be obtained, from the few appointed for the parish.

Are the apprentices now performing what you consider to be a fair and reasonable proportion of labour during the limited time required by law?—No, the deficiency is considerable; they are not performing above two-thirds of the usual quantity of work, which they formerly did during the same time.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No; to the contrary, they evince a disposition to be insolent, and have no longer the same respect they formerly showed to those above them.

Have you found the apprentices disposed to work for hire during their own time?—On all occasions when I have offered them reasonable hire, they have refused to accede to it.

Has sugar been made upon any estate under your charge since the 1st August?—None.

Can the usual crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working 40½ hours in the week?—Quite impossible.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—To advantage, not less than 18 hours out of the 24, for five days in the week.

Do you, from your experience and knowledge of the negroes, believe that they will be inclined voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—From every knowledge I have, my opinion is that they will not.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should suppose at the rate of about 1*s*. 8*d*. for able people for nine hours, and something less for weaker hands.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—No, by no means.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—An increased number of special Justices in each parish in proportion to the extent and population, and a more strict enforcement of the law, and such regulations as shall enable the sugar factories to be kept in operation continually for the number of hours I have stated; that is, 18 out of the 24.

EXTRACT of the Examination of Mr. *Charles Smith*.

ARE you concerned in the management of landed property, and to what extent?—I am concerned for six sugar estates, and seven pens and pimento walks in St. Ann's and St. Dorothy, but principally in the former parish.

What number of apprenticed labourers are under your charge?—Between three and four thousand.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very badly.

Do you consider that there has been any unwillingness on the part of the managers to enter fairly upon the new system?—None in the least; every person to my knowledge has done every thing in his power to enter fairly upon it.

Do you know of the managers or proprietors of estates having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance of their duty under the law?—Not in the least.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—They are now only doing, where I am concerned, about one-third of what they used to do under the old system.

What is the general disposition of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No, they are not; they are very impertinent when found fault with for not doing more work; and in many cases they have told the overseers that they could not compel them to work, and that they would not do better for them.

Have you found the apprentices disposed to work for hire during their own time?—They have

have absolutely refused to work for any consideration. During the recent gathering in of the pimento crop they were frequently offered a dollar a barrel for green pimento, and this they refused in many instances, and particularly on their masters' properties, in consequence of which I am certain that on many properties, one-third of the crop was lost, and in some instances even one half.

You allude to their refusal to work in their own time; what quantity of pimento did they usually pick formerly as a day's work, and what quantity did they pick this season?—On some properties they have only picked half, and on other properties not one-third of the quantity they formerly used to do as a day's work.

At the rate of a dollar per barrel, which you offered for picking pimento, what could an industrious person have earned per day?—Five shillings per day.

Has sugar been made on any estate under your charge since the 1st of August?—Yes; they have made sugar upon four estates under my management.

What number of hours out of the 24 have you been able to keep the factory in operation?—Nine hours.

Do you consider that time sufficient?—Certainly not. I have offered the apprentices money to grind a certain quantity of liquor. Their answer was, that they would not work for any consideration in their own time. We now make only eight hogsheads of sugar a week where we formerly made 28.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I should say 19 hours out of the 24 for five days in the week.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should say 1*s.* 8*d.* would be ample wages for six hours for night work for able persons, provided they would work as they formerly did; but I consider it would be better to pay them by the job, say at the rate of about 15*s.* for each pan of liquor of 500 gallons.

Do you mean that the 15*s.* should pay also the people in the boiling-house?—Certainly, up to the time the mill stops. I would then allow the boilers and stokers 5*d.* each for boiling off any liquor that might be on hand.

Do you consider it possible to carry on the cultivation and manufacture of sugar under existing circumstances?—Certainly not to the advantage of proprietors.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—To secure the peace of society and keep up the cultivation of estates cannot be accomplished unless the civil magistrates are empowered in a great measure with the same authority as the stipendiary. I would therefore recommend that such authority should be given to the civil magistrates, and that the police in the different parishes should be stationed in the most populous parts, which is not the case in St. Ann's, to be ready to act promptly in case of necessity. I would also recommend that a part of the police should be mounted.

—No. 23.—

No. 23.

EXTRACT of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*, dated The King's House, St. Jago de la Vega, 9 Dec. 1834.

I HAVE the honour to acknowledge the receipt of your Despatch, dated 3d October 1834, expressing to me His Majesty's most gracious approbation of my conduct and arrangements as connected with the great transition which took place on the 1st of August. May I hope, Sir, that if such course be proper, you will be pleased to express to His Majesty my happiness at having merited His approbation.

The negroes have lost all apprehensions now of the danger of making complaints, and avail themselves most abundantly of that privilege. In fact, the weekly reports of the special Justices give abundant proofs of the numerous complaints preferred by the apprentices against their managers, very many of which are proved and adjudged to be frivolous and not proven.

I am happy, however, at being able in conclusion to state, that in spite of all the obstacles which I have met with, matters are, up to this date, hourly coming into a more healthy state. In proof of this, I have the honour to enclose to you herewith some copies or extracts of letters from persons in whom I can confide, pointing out the great improvement which has taken place during the latter weeks. The masters are becoming more reconciled to the new system, and the apprentices more reasonable. The consequence is, that the negroes are falling by degrees into a steady system, advantageous alike to themselves and the proprietors. I cannot help thinking that the managers will now, when the important season of crop is arrived, feel that their interests are too important to be trifled with; that

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that ruin must follow their want of success; that all chance of recovering their lost power of punishment is passed by; will really co-operate, and each in their own interior adopt their only resource, a humane but energetic system, which will produce the best effects on the minds of the apprentices. In that confidence, I look now with much less apprehension on the result of the present crop, than I did some few weeks ago, although I have no certainty on the subject.

I have not the slightest apprehension of any disturbance at Christmas; but at the same time I think it expedient to send out the usual detachments, which will move on the 17th, and, I trust, return home on the 10th January. I do hope that after this occasion there will no longer be found any necessity for the adoption of this expensive measure.

Enclosure in No. 23.

EXTRACT of a LETTER, dated St. James's, 1 December 1834.

Enclosure in No. 23.

I HAVE no reason to complain of the working of the apprentices; indeed it is quite the reverse, for they have done the same description of work through the nine hours, as they formerly did in 12. For cash upon the half day, Friday, several at cane-holes have carried off 6*s.* 8*d.*, 8*s.* 9*d.*, 10*s.*, 12*s.* 6*d.* and 14*s.* 2*d.*; the number of diggers formerly stood at 40 to 50; they have of their free will mustered 57, 75 and 82; to encourage industry among their own fellow labourers, three head-men and constables took their hoes and dug each 180 holes upon the half-day, purposely to convince the rest the cultivation of the property should not cease. If it was not tedious to detail, I have it before me, the minutiæ of work, where I find that what under slavery took four and three minutes to perform, has taken under the apprenticeship three and two. From the cultivation being just as forward as any previous year, I cannot perceive that we have suffered from the change of the system.

COPY of a LETTER, dated 9 December 1834.

My Lord,

IN the letter I had the honour to receive from your Excellency, dated 30th October, you expressed a hope that I might be able to give a favourable account of the working of the plan which I had proposed to the apprentices on this estate, for a purchase of part of their own time during crop, and which I had taken the liberty of laying before your Lordship.

This plan has now been in operation for more than two weeks, and I am happy to say has been working most satisfactorily, both with regard to the quantity of work done, to the peaceable and quiet behaviour of the labourers, and to their cheerful and contented appearance.

The principal features in the plan I had the honour to submit to your Lordship, remain, though there are some unimportant alterations in the details. The mill is about from four A. M. to six P. M. from Monday to Friday inclusive: In this time we take about 12 hours a week of their own time, from about 40 able people and three children, for which we pay wages at the following rate: Head people, 3*s.* 4*d.*, ordinary, 2*s.* 6*d.*, children, 10*d.* These wages amount to 6*l.* 10*s.* per week. We are making at the rate of 12 hogsheads per week. At this rate we shall take off a crop equal to the last, viz. 400 hogsheads, say in 33 weeks. The wages given in that time will amount to 160*l.* sterling, an expenditure equivalent, as your Lordship knows, to a deficiency of about 10 hogsheads. When we consider, my Lord, that in the majority of cases this outlay will be more than met by the *interest* on the compensation money, that we may confidently expect an improvement in the quality of the sugar made, from the abolition of night work, and that the quantity lost by plunder will be diminished. When we reflect also upon the number of able labourers who were converted into hospital patients, by exposure to night air under the former system, and consider that this evil is (if not removed) materially reduced by the new regulations; when, my Lord, we give to such considerations the attention they deserve, does it not appear that, provided the change is fairly met, the condition of the proprietor is rather improved than otherwise, as far as relates to the time of the apprenticeship system.

I ought, perhaps, to apologize for troubling your Lordship with any thing more than the account of the working of our new plan, but the remarks that I have ventured to make, seem to arise so naturally out of the subject, that I trust your Lordship will pardon the liberty I have taken in presenting them to your notice.

EXTRACT of a LETTER from Mr. *Ralph Cocking*, Special Magistrate, St. Mary, dated 10 December 1834.

I AM certain that his Excellency the Governor will be pleased to learn, that most of the estates are making their estimate for this year's crop, and some are beginning the next year's. The estates, generally in excellent order, with some few exceptions, and those, under the old or new system, never will be managed. If the holidays pass off quietly, I will be bound to say that the sugar crop will not fall off many hogsheads in this parish.

EXTRACT

EXTRACT of a LETTER from Mr. *E. B. Lyon*, Special Justice, dated Morant Bay, 3 December 1834.

I HAVE the honour to enclose my diary for the week ending this day.

Crime has evidently diminished, and my labours have been divested of much of their anxiety. I have great pleasure in observing, that the conduct of the apprentices in making arrangements for crop and money contracts, and honestly performing them, has, in this district, completely falsified the assertions of the alarmists, and prove that with equitable management and inspired confidence, the negro will work for money, and work cheaply too.

I have made arrangements in St. David's on three estates for night work, at a rate much cheaper than I had contemplated possible, and which the proprietor will be able to fix as a standard, which he can afford to pay for a general monetary labour regulation.

More than 12 estates in this district are in their regular crop, and I have not heard a murmur.

EXTRACT of a LETTER from Mr. *R. J. Langrishe*, Special Magistrate; Lime Savanna, Clarendon, dated 10 December 1834.

I HAVE the honour to enclose my weekly Report; and I am sure your Excellency will be pleased to observe by it the good conduct of the apprentices in this quarter.

EXTRACT of a LETTER from St. Mary's, dated 2 December 1834.

MY journey however has been very satisfactory so far; disproving all that we read of in the papers. From the good behaviour and perceptible improvement in the apprentices, especially on this property, their orderly and peaceable conduct entitle them to commendation; doing their work cheerfully, and attending to all that is told them.

EXTRACT of a LETTER from Mr. *Ralph Cocking*, Special Justice, dated St. Mary, 3 December 1834.

YOU will be pleased herewith to receive a continuation of my diary; from the few cases in this week's Report, your Excellency will perceive that crime is fast diminishing in this parish, and the apprentices on most of the estates are now turning their minds to labour, as they ought to do.

EXTRACT from the DIARY of Mr. *Charles Brown*, Special Magistrate, Vere, to 8 December 1834.

THIS being the time that crop is commencing in this parish, a number of proprietors and managers are making arrangements with their apprentices for taking off the crop. I am happy to say that all is quiet, and all at their work throughout the parish as usual. A number of applications are daily made to me by apprentices to explain to them the law as to time and allowances, &c. To all I have afforded every information and explanation and advice as to their conduct and duty, and always warn them all to keep out of trouble.

EXTRACT of a LETTER from Mr. *Alexander N. M'Leod*, Special Magistrate, St. Dorothy's, dated 10 December 1834.

IN the meanwhile I think it my duty to inform your Excellency that the conduct of the negroes in this parish is at present in the highest degree peaceful, orderly and industrious. I have recently, as special magistrate, sanctioned an arrangement between master and apprentices, both on the estate of the Lodge and Colbecks, in this parish, by which the apprentices have engaged to employ a portion of their free time in taking off the crop of 1835, and in working much of the cultivation of the crop of 1836, on terms which will not cost the proprietors one-half of one year's interest of the compensation money. A disposition to work in their free time on terms equally favourable to the proprietors, is not only general but universal among the negroes of this parish; and if such should be the case through the Island generally (and I am strongly inclined to believe it is the case), the success of the apprenticeship system is placed beyond the reach of doubt.

EXTRACT of a LETTER from Mr. *Samuel Pryce*, Special Justice, Trelawney, dated 9 December 1834.

I HAVE pleasure in stating to your Excellency the apparent peaceable demeanour of the apprentices, and the favourable reports of several managers on my route, and also the total absence of complaints.

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EXTRACT of a LETTER from Mr. *John Daughtrey*, Special Magistrate, dated Bath, 3 December 1834.

NOTWITHSTANDING any statements to the contrary, come they from whatever quarter they may, I still beg to assure your Excellency that the general peace of this district remains undisturbed. I have now, too, the further satisfaction of being able to report that all the operations of the mill have undergone a marked improvement in the course of the week, and the most desponding begin to admit that the crop may possibly after all be taken off. My Lord, the crop in the district will be taken off, if the managers apply themselves to the work with common energy and common prudence, and in the spirit of the change.

Nothing can be better than the behaviour of the people on some of the River Estates. I may instance particularly Amity Hall, where the proprietor has established an equitable scale of wages for extra time, and proceeds altogether upon a judicious system of encouragement. His people give him not only what extra time he requires, but they give him willing, cheerful labour, ahd evince an interest in the money part of their bargain strongly at variance with the statement on this point in the Parish Petition.

Indeed, my Lord, nothing can be more contrary to fact, than that the people of this district are indisposed to work in their own time for money for cash, as they annoyingly term it. Now that they have seen the wages paid, their apparent indifference has been every where thrown off, and on some estates there are offers of service beyond what is required.

The truth is, they were told at in an unhappy moment, that they should be made to take off crop without wages, and this impression at once spread throughout the district; so that nothing but the fact of their seeing a system of wages actually introduced, could satisfy them that it would be a reality.

Observing a statement ascribed to Mr. with reference to this district, I must be permitted to say, that if correctly reported, that gentleman has been most grossly imposed upon; for I am very sure that, even to support a favourite course he would not lend his authority to the propagation of falsehood. With respect to Plaintain Garden River Estate, where it seems "the people are doing as they like," there is as much order and as steady work at the mill as Mr. himself could desire.

True it was that when the people were at first told laconically by the overseer, that the mill must be kept about till eight o'clock, they said, "no night spell." Having heard of this, and knowing the general good disposition of the people, I went on the estate on the day the mill was put about, and called them together; they assembled in the most orderly manner, and listened to my address with a degree of quiet attention and respect scarcely to be exceeded; in conclusion, they one and all said, my "word was good," and they would do as I desired. They went to their work, and have since carried it on with a steady, persevering, diligent manner.

I regret that my time does not allow of my writing to Mr. on the subject, but I shall feel obliged if your Excellency will put him in possession of my representation of the fact.

COPY of a LETTER from Mr. *Samuel Lloyd*, Special Justice.

My Lord, Stoney Hill, 1 Dec. 1834.

I HEREWITH have the honour to trnasmit my Report for that week.

I have much pleasure in acquainting your Excellency that, in obedience to your Lordship's circular of the 14th ult. No. 633, the system of labour by spells of nine hours each spell, was most successfully worked on Golden Spring Sugar Estate the whole of last week, where the return of sugar made was equal to that made at any period previous to the 1st August. The women, always foremost, protested against such mode of labour, the ringleader of whom I felt obliged to punish by sentence of one month's hard labour, but in consideration of the extreme good conduct of the people in general during the week, the whole of whom collectively begged I would release her, promising I should find their conduct to merit such favour, I was induced, without your Excellency's sanction, to do so, which I trust you will approve of.

EXTRACT of a LETTER from Mr. *Frederick White*, Special Magistrate, Saint George's, dated 9 Dec. 1834.

THE list of punishments of last week are more than on former occasions, but to account for that is my absence from the parish for a month. I am happy to say all is quiet, and not the least likelihood of discontent amongst the negroes; the mills are all at work.

EXTRACT of a LETTER from Mr. *Edmund B. Lyon*, Special Magistrate, Morant Bay District, Saint Thomas in the East, dated 10 Dec. 1834.

I HAVE the honour to transmit my diary up to this date. The apprentices in this part of the parish have become cheerful and industrious; sugar making is general, and there appears to be not alone a prospect of a heavy crop, but also the strongest probability of its being

being completed in nearly the same time as last year. There are now in my province nineteen mills, and in many places the product had *reduced** the expectations of the managers. The week before the last, on Garland Hall, they potted nine hogsheads, using only a single set of coppers, and boiling sixteen hours per day. No night work. With the same plan on several, they have potted seven and eight hogsheads weekly. These striking facts must convince the most sceptical, that with judicious management there is a certainty, under the present system, of procuring both cheerful and profitable labour from the apprentices.

* So in Copy.

Extract of a LETTER from Mr. *Alexander Grant*, Special Magistrate, Hanover, 9 December 1834.

There is nothing to be dreaded in the apprenticeship system. If people will only do away with every prejudice, and all parties put their shoulder to the wheel, cheerfully, with a determination to make the system work, every thing would go on well; two-thirds of the estates in this parish have commenced crop.

Extract of a LETTER from the Honourable *William Miller*, Custos, Trelawney, dated 9 Decmeber 1834.

It affords me pleasure to observe the favourable reports from St. Thomas in the East and other parishes; the accounts I have received from my own concerns for the last two weeks, are also, I am happy to state, very favourable.

Extract of a LETTER from Mr. *John Daughtrey*, Special Magistrate, Bath, Saint Thomas in the East, 10 December 1834.

About a month ago a petition to the House of Assembly, drawn up, as I am informed, in Spanish Town, was circulated and generally signed in this neighbourhood, affirming, "that labour in the district was nearly at an end, and that the negroes had refused to work for any reasonable wages in their own time."

At that period, my Lord, so far from labour being nearly at an end, practical men acquainted with the district, assured me they saw no material difference in the cleanness and general appearance of the fields from former years; and all parties have since most certainly been prepared to put their mills about at the usual time.

And with reference to the refusal of wages, of all the estates within my circuit, at that particular moment, only three had been ever asked to work in their own time for hire, and of these two had distinctly agreed to do so, and the head people on the third.

But as they were not enough, one of the attornies, the person second perhaps in influence in the district, who has himself signed the said petition and had been the means of many others signing it, has actually rejected the application of the negroes to work in their own time for cash, *which they are becoming generally anxious to do.*

It was curious to find one of the representatives of the parish gravely declaring "the sugar-making had nearly ceased in Saint Thomas in the East," when it was just beginning. The very parties, my Lord, upon whose testimony Mr. made the statement, are already almost boasting of the progress they have made, and are competing and even *betting* with each other about their weekly hogsheads; such is now their confidence after all their gloomy prognostications.

At Golden Grove, they boast of having potted 50 and *60 hogsheads up to the end of the last week; and at Holland now the same altered tone prevails.

On Amity Hall, they are making 12 hogsheads per week with limited hours; and at Hordley, the adjoining and exactly corresponding estate, the same quantity, but with rather more time at the mill.

At Plaintain Garden River Estate, where "the people were doing as they pleased," the overseer can find no fault with the people. At my recommendation, they are keeping the mill about by spells, from 6 in the morning till 12 at night, without a murmur, and will immediately get off the crop in good time.

Indeed, my Lord, as the mills are all now about, I believe I may safely affirm that there is not a single instance throughout the whole district in which any doubt is now entertained of getting off the crop. Certainly nothing short of great improvidence or real imbecility on the part of the managers can obstruct it.

* The number is, I think, 58; they are making at the rate of 15 per week.

Extract of a LETTER from *Thomas M^cNiel*, Esq. dated Prospect Estate, Hanover, 9 December 1834.

I have been on this estate for some days to arrange with the apprentices for labour in their own time during the progress of the crop, and I am happy to state that I have prevailed on them to continue their services at the factory as formerly in crop time, and for all sugar manufactured during their own hours I pay at the rate of 25*s.* per hogshead, for cartmen and mulemen are an additional expense; and I have hired them for the crop, to give them labour at all times required for five or six days in each week, for the sum of 4*l.* each; 20*s.* paid at commencement, and remainder by four monthly instalments.

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So far as I am able to judge, I think now that confidence is established as far as respects that estate, and I have at present no cause to fear that the crop will not be taken off in good time, and I dare say some of our neighbours will benefit by the example set by the labourers on this property. We are about to commence crop on several of the estates in Westmorland under my charge, and with the labourers it is my intention to endeavour to make the same arrangements as on this estate.

— No. 24. —

No. 24.

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right Hon. *T. Spring Rice*, dated The King's House, St. Jago de la Vega, Dec. 13, 1834.

I HAVE put up some extracts of Letters which are very satisfactory in their report of the conduct of the negroes, and although not quite at ease as to the way in which they may return to their work on the 29th of this month, after the holidays, I have no idea of more than what a few examples of punishment will set to rights. The crop was never better in appearance than this year, and therefore if there is any little deficiency in the negroes' work this crop, it will, I hope, be made up by the extra quantity which the ground produces this year. I had a very bad opinion about it a short time ago, but in consequence of the active measures of the specials, and the long-established habits of the negroes as to crop, during the last fortnight, numbers of estates have come into terms, and I think that the negroes have shown that they are easily to be satisfied as to wages.

EXTRACT of a LETTER from Custos *Bell*, St. George, dated 8 November 1834.

Enclosure in No. 24.

MAY I be permitted to say, that in my opinion, the principal cause of punishment is the want of sufficient number of magistrates. If a case of improper conduct could be investigated on the day or day after the offence is committed, the example would deter others from doing wrong; but just now, it is sometimes a week or ten days before Mr. White can be found, and during that period, the apprentices observing no punishment to follow upon misconduct, are often foolish enough to conclude that none can be administered. Thus cases become multiplied; an evil which could be avoided, if justice could be had speedily and summarily.

EXTRACT from Mr. *Charles Brown's* (Special Justice of Vere) DIARY to 16 December 1834.

I AM happy to inform your Lordship this parish is quiet and reasonable. The proprietors and managers are making mutual arrangements for the taking off the crop, with their apprentices. I am also sorry to inform your Lordship that the state of the parish is very sickly, owing to the late unprecedented rains. I am again, I am sorry to say, on my return to my residence this day, from visiting estates, taken ill with fever, and am now confined to bed.

EXTRACT of a LETTER from Mr. *Ralph Cocking*, Special Justice of St. Mary, dated 16 December 1834.

YOU will please to receive my report. I am glad to inform your Lordship that the apprentices are behaving remarkably well, and I hope will continue so.

EXTRACT of a LETTER from Mr. *Edmund B. Lyon*, Special Justice, dated St. David's, 17 December 1834.

I HAVE the honour to transmit my Diary for the week ending this day. I believe every thing in this district is progressing as well as the most sanguine could expect. I have the mill about on 23 estates, and no complaint.

EXTRACT from the DIARY of Major *Donald MacGregor*, Special Justice, Portland.

WITH a few trifling exceptions, every thing is going on very well in this district. His Excellency will, I am sure, be pleased to hear, that I do not apprehend the smallest disturbance during the Christmas holidays.

EXTRACT

EXTRACT of a LETTER from *E. M. Barrett*, Esq. to *Samuel B. M. Barrett*, Esq. Attorney for Oxford and Cambridge Estates, Trelawney, dated 6 Dec. 1834.

THE people upon both estates are behaving as well, if not better, than ever. Here they turn out much more regularly than they did under the management of Mr. Day; and at Oxford, Mr. Phillpotts complains that the apprentices fairly bully him to employ them on their own days. They say that you are anxious that they should be hired, but that the overseer begrudges them the money, which you have put in his hands for that purpose. I have but little doubt that during crop you may command as much of the time of the apprentices upon both these estates, either by night or day, as you may think it expedient to pay for.

EXTRACT of a LETTER from Mr. *F. White*, Special Justice, St. George's, dated the 18 December 1834.

I AM happy to inform your Excellency all is going on well in this parish. I intend visiting the mountain district in the morning, if the weather will permit me.

The mills are all at work, and in my opinion every thing will go on well. The negroes appear to be well inclined to do what their masters require them.

The Honourable John Bell had 90 of his negroes at work on Saturday last, for 1*s.* sterling per head. This looks well.

EXTRACT of a LETTER from *S. B. M. Barrett*, Esq. Trelawney, dated 16 December 1834.

I NEVER was half so confident as I am now of the peaceable disposition of the negroes. I never knew them so greedy for money—so industriously anxious to earn it. I enclose you the proofs upon which I ground this opinion, and I could send you many others.

EXTRACT of a LETTER from Mr. *A. Dillon*, Special Justice, St. Anne's, dated 15 December 1834.

MANY persons dread there will be much cause of alarm during the Christmas holidays, and that on several estates the apprentices will not return to work. I do not see any thing of the kind; and I trust all will pass over quietly.

EXTRACT of a LETTER from Mr. *Richard Daley*, Special Justice, Westmorland, dated 16 December 1834.

THE apprentices on King's Valley have agreed, in my presence, to work in their own hours during crop, at the rate of 1*d.* per hour; although I assured them that no compulsion could be used in this respect. I had the pleasure of ascertaining from the attorney of Blackheath Estate, where the negroes were very troublesome, that they were latterly behaving well and industriously. In fact, it appears to me that the conduct of the apprentices is improving rather than otherwise, and that if gentlemen would call on the special magistrates to be present when proposals are made respecting their employment in their hours, they would seldom decline the offer. But without the presence of a magistrate, and his assurance to see them paid, there is considerable distrust on their part.

EXTRACT of a LETTER from Mr. *R. Standish Haly*, Special Justice of Vere, dated 17 December 1834.

I AM still impressed with the conviction that there will not be any relaxation on the part of the apprentices, in this parish, to work for their masters out of their own time during crop, where adequate remuneration is offered. I have not yet met with any thing but ready and cheerful acquiescence under any such proposition.

COPY of a LETTER from *John Daughtrey*, Special Justice, to the Marquess of *Sligo*.

My Lord, Bath, 17 December 1834.

IT is with the truest satisfaction I am able to report to your Excellency, not only the favourable, but the improving state of this important district.

At Golden Grove, they potted last week either 16 or 17 hogsheads; at Holland Estate, nearly the same quantity; and I have the managers' own testimony, on both estates, "that they never saw the people either work better, or behave better." After all that your Lordship has heard, I deem these facts worth communicating. Further, my Lord, with respect to Golden Grove—and the statement is so gratifying as to require nothing less than the best authority—the attorney himself now informs me that he finds they shall have potted fully as much by Christmas as they made by the same period last year.

 I had

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I had before learnt from the overseer, that the mill was put about on the very same day of the month.

This, my Lord, is, I think, pretty conclusive as to which class of reports—mine, or those which have proceeded through other channels—have been correct.

From no estate, since my last return of proceedings, have I received a single complaint of indolent or insufficient work. I think I may therefore fairly infer, that the people are generally working well: that they wear a more cheerful and contented aspect I myself discover; and this alone is no immaterial sign that there is no mischievous scheme in their heads to be developed in the holidays.

On my last visit to Pera, where your Excellency will remember some trouble was given, the people requested to be allowed to assemble that I might tell them the law respecting crop time. Instead of the confusion and turbulence manifested before, they listened with decent attention and marked respect.

When I alluded to their former behaviour, for the purpose of expressing my gratification at the contrast, they one and all said, "We beg massa pardon—we was wrong, massa."

The same proper behaviour was evinced on all the Port Morant Estates, formerly the worst in the district, and on some of which the Bushas said the people never were, and never could be, assembled without clamour and disorder.

At Duckenfield, where the spell-hands have been required to put the mill about, at four o'clock on one morning last week, there being no canes, they were told not to come till sunrise, and as they were spelled at half-past twelve, they were of course expected to go to the field after their usual dinner hour. But none of them turned out. On going down next day, and hearing the facts of the case, I ordered them to turn out and work that afternoon, which, as they had been at the mill from four o'clock, would have been their own time. They submitted at once, apparently satisfied at the justice of the decision, and every one of them went at the proper time to the field.

I notice the circumstance as a proof of the improved spirit of the people; and that, as the system becomes better understood, its efficiency will be increased, and its inconveniences diminished.

The disposition to work for wages, in their own time, is becoming general.

On some of the estates there are always many supernumerary hands, waiting to hire themselves for the half-night's spell, in the event of deficiencies among those to whose turn it falls.

I am glad to find that the attorney who first said the people would not work for wages, when he had never asked them, and then refused to pay wages when the people offered their time, has been at length persuaded to yield the point, and his overseers are authorized to make agreements with the people for such time as they may require.

I have, &c. &c. &c,

(signed) *J. Daughtrey.*

—No. 25.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right Hon. *T. Spring Rice*, dated The King's House, St. Jago de la Vega, December 25, 1834.

No. 25.

THAT the negroes are fully aware of their own rights, and determined to maintain them, is true; that they, in their present comparatively blessed position, do not do as much work as before, is also true; that they have occasionally shewn a sullen temper, I do not deny. Hard it would be to select 340,000 persons of any nation amongst whom there are not some sullen persons, but the instances are *very few*, and in many cases, to be attributed to the threats that are so much too frequently held out to them, that they shall be deprived of all their comforts, of the ground they have so long enjoyed, of their stock, and in short, as I have good reason to think was the case in one or two instances, that "he (the overseer) would leave them little worth, by the time their apprenticeship was over." These cases are, however, few, and the sulkiness also was rare. The masters and managers are getting more reconciled to the new law, and complaints of their cruelty rarely are brought forward now. The consequence is, that more work is doing; on most estates they have come to terms for wages, and I know one instance, Golden Grove, after all that has been said about it, where actually five or six more hogsheads of sugar have been potted this day than this day twelvemonth. Men used all their lives to coercion, cannot be well acquainted with persuasion deprived of power. The negroes take advantage also of their exemption from punishment. All that however is settling down fast, and I do not at all despair of seeing a great part of them fall into industrious habits. About a month or six weeks ago I had much misgiving in my mind

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as to this crop being taken off; but now, though it may fail partially, I do think I can with safety say that the majority will be got off satisfactorily, not to the extent, perhaps, of last year's, but quite enough to prove that the new system is not so desperate as has been imagined. Much injury has unquestionably resulted from the want of a sufficient number of special magistrates; but with those you have given me, and the facilities you have placed at my disposal with regard to the employment of some to act without salary, on the payment of certain contingent expenses, I think that any cause of complaint on that score is abundantly got rid of. It is somewhat a remarkable fact, that in many instances the negroes would not enter into any kind of bargain with their masters, but that the moment that the special magistrate has been present, and guaranteed to them the due performance of their bargain, they have at once assented. In one case last week, four very large estates near here, refused to come into any terms, but they selected one man, and sent him up to speak to me on the subject. I spoke to him for a very long time, and he seemed quite to accede to all my advice. I told him that if the others did not believe him, to bring up three of the head men from each estate on the next day but one after, and that I would talk to them all. None came, and I heard no more from the managers; by which I conclude that my advice had the desired effect. In some instances, no doubt, they have refused to come into terms, although the special magistrate has done his best to bring them to an arrangement; but it is a curious fact, that in almost every case the men have been willing to agree, and the women break out into open exclamation on the subject. It is notorious that they are all over the Island the most troublesome, and I attribute that to the want of proper modes for punishment for females. The power of corporal punishment has been taken away, and there are neither treadmills nor other sufficient places of confinement as yet prepared. This, however, will soon be remedied, as they are making active exertions to prepare such places.

As to the idea of open insurrection, it may have been foretold here by persons whose interest it was to keep the community in a state of confusion and alarm; but I will venture to say that no such idea really came across the mind of any one in this Island for the last three months. The assertions in the newspapers are no proof of the belief existing. However, the fact will have been ascertained before this Despatch goes to you, as it has been agreed upon by all persons, that it is on the occasion of these holidays that it will take place, if at all.

I quite deny Mr. Burge's inference, that the necessary number of special magistrates can be estimated from the general commission. The reasons must be too obvious to render it necessary for me to repeat them. As however I am adverting to that description of officer, I feel it but right to say, that with the number promised to me, there will be quite sufficient, and that the experience gained by those who have heretofore been here, will, I feel confident, render those now arriving, equally efficient from there being precedents established at much cost of time and labour, on the part of those who have been here from the commencement.

The Attorney-General, it is true, gave an opinion that the apprentices were entitled to all their former allowances, but without any public or official order having been given on the subject, they were not enforced after the first week, with the exception of giving the mothers reasonable time to suckle their children; and at the time that those advices reached Jamaica, there had not been a single case brought before the special magistrates for more than a month. It is somewhat strange, however, to say that they are now, I may say almost universally, given to the negroes, at least by all the eminent attornies, so that the thing is no longer a matter of contest.

In reference to the concluding paragraph of Mr. Burge's letter, wherein he recommends an increase to the military force of this Island, however such a measure would strengthen the power of the governor, I cannot in my conscience say that it is in the least required. Did I feel the possibility of any necessity of the sort, after the readiness with which, I am proud to say, all my suggestions have been met, I should have represented it to you long since. I have considered the matter maturely, with a view to reducing the number, not to increasing them; but I cannot reconcile it to myself to recommend any reduction till one year after the apprenticeship system shall have terminated.

Mr. Burge also adverts to the introduction of European labourers into the Island. The measure is one I am quite as anxious to promote as he, or the legislature can be; but the wish to have an efficient measure passed, has been disappointed by the indisposition of the House of Assembly to agree to the proposals which

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which were made. Those proposals, and all that took place, forming the subject of a separate Despatch, it is not necessary now to say more on the subject. I trust that the report which I shall be enabled to make, just before the present packet sails, will finally prove the error of Mr. Burge's statements as to this Island, at least as far as the quiet disposition of the negroes and their return to their work will show it to be erroneous.

Enclosure in No. 25.

EXTRACT of a LETTER from *James L. Hilton*, Esq., St. Ann's, dated 23 December 1834.

Enclosure in No. 25,

I AM happy to say for the information of his Excellency, that since Captain Dillon has been in this neighbourhood, a marked alteration has taken place for the better among the negroes. He is indefatigable in visiting the different properties, explaining every thing clearly, and doing justice where required. I augur from his exertions, the Christmas holidays will pass on quietly in this neighbourhood, which was very lately turbulent.

EXTRACT of a LETTER from Mr. *John Odell*, Special Magistrate, Hanover, dated 23 December 1834.

PERHAPS it might not be amiss for me here to add, for the satisfaction of his Excellency, that from the result of diligent inquiry made, with respect to the general conduct of the apprentices in Hanover, I can have no hesitation in believing that their obedience to the law will continue uninterrupted.

EXTRACT of a LETTER received from Mr. *James W. Turner*, dated Teak Pen, Clarendon, 23 December 1834.

I HAVE had the honour to receive your communication of the 12th instant, and am obliged for the consideration of his Excellency; but I am not in any way connected with Money Musk Estate, or I should without delay proceed to the property, and I make no doubt a satisfactory arrangement could easily be entered into with the apprentices, as I have found all in my business very reasonable, and easily satisfied.

EXTRACT of a LETTER from Mr. *Ralph Cocking*, Special Justice, dated St. Mary, 23 December 1834.

HEREWITH I beg leave to transmit my weekly report.

I am happy in again informing your Excellency that the apprentices are generally conducting themselves with very great propriety, and no doubt will continue so.

EXTRACT of a LETTER from Mr. *Edward D. Philp*, Special Justice, Westmorland, 23 December 1834.

ON two properties, for which Mr. M'Neel is the attorney, the apprentices have agreed to receive 20*s.* for every hogshead of sugar manufactured in their own time, to be divided amongst the spell gang.

EXTRACT of a LETTER from Mr. *Samuel Pryce*, Special Magistrate, Trelawney, dated 23 December 1834.

WITH reference to my weekly Report, it will doubtless be satisfactory to your Excellency to learn that I consider this district in a tranquil and orderly state, and in which opinion I am borne out by the reports of several managers of this day's date. I however submit to your Excellency's consideration the total absence of uniformity of field work, or any fixed scale of labour. Measures, I submit to your Lordship, which are calculated to do much good by preventing discontent amongst the apprentices.

EXTRACTS of a LETTER from Mr. *Edmund B. Lyon*, Special Magistrate, Morant Bay, 24 December 1834.

ANNEXED I transmit my diary for the week, ending this day, which, embracing the offences of a population of 12,000 apprentices, is an index of the diminution of crime, and the return of industry and cheerfulness; nothing can exceed the general propriety of conduct of the apprentices of this district. I have 25 estates all working upon the same agreement, and without the slightest misunderstanding or sullenness. Garbrand Hall has made, up to Monday last, 50 hogsheads of sugar, with only a single set of coppers.

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The Petersfield people have been doing very well since I removed the head driver. Last week, with the interruption arising from some injury to a wheel or cylinder, and some deficiency of water, they potted seven hogsheads, and the same the week before, which, both overseer and attorney appear to consider as very good work. I have been most anxious and particular in my inquiries as to the manner in which the apprentices do their work; and I have been generally assured that they are working with cheerfulness and industry, and that the quantity of sugar made is quite as much in proportion on estates where the mill is not about at nights, as on the old system.

EXTRACT of a LETTER from the Hon. *Thomas M'Cornock*, dated Golden Grove, Port Morant, 24 December 1834.

I AM glad to learn from your Lordship that your accounts by last post from all parts of the country are satisfactory; and it affords me great pleasure to say, that the people here, and throughout the district, are behaving remarkably well. They seem quite satisfied with the arrangements made as to payment, for taking off the crops, which I now think will be finished in proper time. In justice to Mr. Daughtrey, I must say that he has been indefatigable in his exertions to bring about so desirable a state of things. The great struggle at the commencement of crop, agreeable to the combination previously entered into, gave him and others a vast deal of trouble; but I sincerely hope the like will not occur again.

I trust the ensuing holidays will pass over quietly, and that your Lordship will receive by next post the gratifying intelligence that the apprentices have cheerfully resumed their usual occupations throughout the Island.

EXTRACT of a LETTER from Mr. *John Daughtrey*, Special Magistrate, Bath, 24 December 1834.

I HAVE the pleasure to assure your Excellency, that every thing in this district is proceeding in a very satisfactory manner. Considering the ignorance of the population, it would be difficult to conceive a more peaceable and orderly state of things than prevails here at the present moment.

I have understood that an insinuation appeared respecting something amiss again at Golden Grove. Nothing has occurred there in the slightest degree to warrant such an idea.

As a proof of the excellent work the people are doing there, I may mention that the week before last they potted 17 hogsheads, and last week 18.

The result of their admirable exertions in sugar-making, up to this period, is, that they have actually potted 90 hogsheads, which is five or six more than last year, the mill having on each occasion been put about on precisely the same day, November 5.

This, really, my Lord, I venture to think, a very decisive fact.

EXTRACT of a LETTER from Captain *A. Dillon*, Special Justice, St. Anne's, 23 December 1834.

I FEEL much pleasure in reporting that my district is now in a very good state. The apprentices are working very fairly, and no complaints on their parts.

Some alarmists seem to dread the holidays, particularly on New Year's day; but from my immediate observation, I do not think there is any thing to be feared in this quarter, with the exception of a few deluded apprentices who may attempt to strike work on the latter day.

EXTRACT of a LETTER from Mr. *Richard Standish Haly*, Special Magistrate, Clarendon, 24 December 1834.

I AM gratified in being able to state to your Excellency, that upon every estate that has commenced the manufacture of sugar (and many have begun), arrangements are made between master and people, that appear to satisfy both. I have only to regret that instead of a uniform general system of remuneration, almost every particular property make their own stipulations. There is no cure for this evil; let us hope that time and patience may produce from a multitude of systems one particularly suitable and beneficial to the country.

—No. 26.—

Copy of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo*, &c. &c. &c.

My Lord, Downing-street, 15 February 1835.

No. 26. I have the honour to acknowledge the receipt of your Despatch of the 25 December last, transmitting various extracts of letters reporting to you the peaceable conduct of the apprentice labourers.

It has afforded His Majesty's Government the highest satisfaction to learn from the tenor of these Extracts, as well as of the Despatches received from you up to the latest date in the beginning of January, that the sanguine expectation you have entertained that the state of affairs in the Island would evince a progressive improvement, have to a great extent been realized.

Under the prospects you have held out, you would appear to be fully justified in the conviction you feel, that no augmentation is required of the military force in Jamaica, and your statement that the allowances not absolutely required by law are notwithstanding generally given, and that although the crop may fail partially in consequence of a deficiency of labour, the greater part will be got in satisfactorily and to the extent of that of last year, would appear to sanction the hope you have expressed, that the masters are becoming more reconciled to the change which has taken place, and that the majority of the negro population will gradually fall into habits of cheerful industry.

Independently of the very satisfactory accounts which are to be found in the Extracts you have transmitted, the exertion which your Lordship has imposed upon yourself, with a view to make yourself practically acquainted with the real state of affairs in the Island (a task of no small difficulty under such conflicting interests) would entitle your Lordship's opinion to the greatest weight, and His Majesty's Government have every reason to anticipate the most satisfactory results from a strict adherence to those principles upon which you have conducted the very arduous duties arising from this important measure.

Before I close this Despatch, I would suggest to your Lordship, that the practice which you have adopted in this instance of transmitting Extracts, is liable to some objection, unless they be accompanied by an assurance that they are samples of the general tenor of the reports made to you by the different officers; and on any future occasion in which you may consider it expedient to put me in possession of these reports in corroboration of these views, it would be desirable that you should add, in a summary manner, to the results of the entire intelligence received from all the magistrates throughout the Island, in order to prevent any objections which might be taken to the conclusiveness of the evidence.

I have, &c.

(signed) *Aberdeen.*

—No. 27.—

Extract of a DESPATCH from the Marquess of *Sligo* to Mr. Secy *Spring Rice*, dated The King's House, St. Jago de la Vega, 27 Dec. 1834.

No. 27. FEW overseers or proprietors are now fined for improper conduct; and the complaints against the negroes are generally for no greater crime than not turning out punctually. I don't think that there have been, for near a month, any complaints made, with but one exception, against the special magistrates; so that I think I may with truth assert, that a mutual good feeling and intelligence is gradually arising, and will continue, to the benefit of all parties.

— No. 28. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*, dated St. Jago de la Vega, 29 December 1834.

I HAVE the honour to send, for your information, the Minutes of Evidence taken before a Committee of the House of Assembly, and their Report on the present state of the Island, and the working of the new system.

Enclosure in No. 28.

EXTRACT of a REPORT of a Committee of the House of Assembly of the Island of Jamaica, 1834.

YOUR Committee, appointed to inquire into the causes of the general discontent among the apprentices, their reluctance to work as formerly even during the limited hours prescribed by law, and the almost universal determination on their part not to work for wages during their own time;—

REPORT,

THAT after an examination on oath of many witnesses (which examinations are hereunto annexed) in various situations of life, your Committee have arrived at the conclusion, that an almost general indisposition exists in the minds of the apprentices to labour, and that they are now performing not much more than one half the quantity of labour, during the hours prescribed by law, that they performed during the same period of time previous to the Abolition Act coming into force.

That a reluctance exists to labour for wages during their own time, is proved from the fact, that where fair and equitable terms had been entered into for taking off the sugar crop, they have almost in every instance receded from such arrangement, when called upon to carry the terms of their agreement into effect.

EXTRACTS from the Examination, upon Oath, of *William Carey*, Esq.; Thursday, 6th November 1834.

ARE you concerned in the management of landed property, and to what extent?—I am concerned for thirteen estates in Trelawney, St. James's, Hanover and Westmorland.

What number of apprenticed labourers are under your management?—About 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very indifferently.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—They are not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No, they are not, they appear sulky and discontented generally.

Have you found the apprentices disposed to work for hire during their own time?—No, I have not; on the contrary they have objected in every instance. I have made an offer to them. Some few came to me the other day in Westmorland, and offered to work if I would give them half a dollar a day, but not less. I asked if the whole would work at that sum; they replied, they could not tell.

Has sugar been made upon any estate under your charge since the first of August?—None.

Can the crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working 40½ hours in the week?—Certainly not.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation, to enable the crop to be taken off?—In some instances 16 hours, but in most instances the sugar crop could not be taken off without 18 hours' continuous labour.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I do not.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I should think at the rate of 1*s.* 8*d.* per day for an able negro. I mean a day of nine hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I think not.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society and the continued cultivation of the estates?—To encourage emigration by every possible means; give power to local magistrates that the Abolition law be more strictly enforced.

What rate of wages have you offered to your apprentices in Trelawney?—I have offered 1*s.* 8*d.* to them generally, but they refused to work for wages.

Do you believe there is any organized system in operation throughout the Island, or secret agency to persuade the negroes not to work, and not to bind their children that are free apprentices?—I cannot state, from my own knowledge, that there is any such existing.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—In some instances I consider about one-third less than formerly; and in some cases the apprentices are not doing more than one-half of what they were used to do.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—From my own knowledge I cannot state that they are not paying attention to their grounds; but my overseers inform me that they are not doing so; and I have been very particular in inquiring.

Do you conceive that your apprentices have been guilty of insubordination?—I do not; but they have not willingly and cheerfully performed their work.

Do your apprentices work nine hours each day?—I consider they do not.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I consider from their reluctance to take wages during their own time on sugar estates, I do not think they will work as free labourers when their apprenticeship is out.

EXTRACTS from the Examination, upon Oath, of *George Gordon*, Esq.; 6 November 1834.

How long have you resided in this island?—I have resided in this island upwards of 26 years.

Have you had the charge of many negroes, and in what capacity?—I have had the charge of a large number of negroes as attorney, and also as proprietor.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—The apprentices, as far as my observation goes, on the properties I am concerned for in the parishes of St. James, Hanover, Westmorland and Trelawney, are working as cheerfully as ever they did. On some estates, for instance, Williamsfield, they are not doing as much work as they did; but in the greater number of cases they do as much work, hour for hour, as they did previously to the 1st of August.

Have you known in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties, to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I am not aware of any arrangement having been made.

What do you think a fair remuneration to the apprentice for his extra labour; the field-labourer for his day-labour, the mechanic for his piece-work?—I have not attempted to make any bargain for day-labour; but I should think 1 *s.* a day, considering the apprentices got the usual allowances as formerly, quite sufficient. I am giving coopers 3 *s.* 4 *d.* a day for finishing a sugar hogshead, 5 *s.* a puncheon, and 3 *s.* 4 *d.* a day for good masons and carpenters.

Do you imagine the apprentices will continue to work in crop as well as you represent them to be working now?—I imagine they will.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce in the country can bear, leaving a fair return to the landholder?—As far as my experience has gone, they do not. I have been employing tradesmen at the rate mentioned in my former answer, and I have been hiring apprentices to dig cane-holes in their own time at from 40 *s.* to 50 *s.* per acre, cheaper than the current price paid to jobbers.

Do the apprentices attend to their grounds and otherwise employ their leisure time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—I never knew negroes to attend to their grounds better than they have been doing since the 1st of August. They employ their extra time on their grounds or improving their houses, eitherwise beneficial to themselves.

State to the Committee your opinion generally as regards the working of the new system?—I think it is working much better than could have been expected, and that it is daily improving in its working.

You say that your apprentices have hired themselves for money wages; did you find any difficulty in inducing them to do so?—I found no difficulty in inducing them to work for money wages. On one estate, Gilsborough, in St. James's, they sent to me through the overseer, to request permission to dig a piece of cane-holes at their own time for wages, in preference to letting a jobber dig it.

Then you do not think the epithet "visionary" is correctly used, in connexion with the new system of things?—I do not think it is correctly used.

Have any instances come within your knowledge of any estates, negroes, besides those under your charge, having hired themselves for money wages?—Yes; the apprentices on Latium and Adelphi, in St. James's, Sodhall and Content, in Hanover, have been digging cane-holes for money in their own time.

As you were actively employed in putting down the rebellion, will you inform the Committee whether the negroes upon those estates then in revolt are included in the number of those you have described as working cheerfully?—Many of those gangs of negroes who were in revolt, are included in the number of those described as working cheerfully.

Have you charge of Leyden estate; if so, state in what manner the apprentices conduct themselves, and how many cane-holes they dig generally in their master's time?—I have charge of Leyden estate. The apprentices are conducting themselves to my satisfaction.

The

The men are digging 90 cane-holes a day, and the women 80, in their master's time, which was all that was asked of them.

Are your prospects favourable or unfavourable as to the present state of things in relation to the system of apprenticeship, and as regards the profits of the planter, depending much as they do on the conduct and good will of the negroes?—I consider my prospects are favourable in relation to the apprenticeship system, and as regards the profits of the planter, depending as they do on the conduct and good will of the negroes.

Have any acts of insubordination been evinced on any of the estates under your charge; and if so, have you had occasion to call in the special magistrates?—No act of insubordination has been evinced on any estate under my charge that required me to call in a special magistrate; but on Williamsburg and Leyden estates, about the end of September, the negroes were doing so little work that, through the overseers, I applied to the nearest magistrate, Captain Clark. Since his inquiries and decisions on those properties, the apprentices have been doing all I could expect.

Were not some of the apprentices under your charge publicly punished on account of acts of insubordination, by order of the stipendiary magistrate; and did not Captain Clark deem it necessary to enforce his orders by the presence of a military force?—One apprentice under my charge was whipped publicly by order of Captain Clark; but, as far as I know, not for an act of insubordination, but principally for having absconded from a constable while being carried to Captain Clark, the special magistrate, and for having been represented by the overseer as having done too little work in the field, and having apparently influenced others to do as little. Captain Clark carried a part of his troops to Williamsfield before he gave any orders, and before he inquired into the state of the apprentices.

Then under what system or arrangement as to hours of labour, allowances, &c. have you conducted the estates under your management, on which you describe the apprentices as working so cheerfully?—The hours of labour for apprentices under my charge are nine hours per day, with one exception, where, at their own request, on account of a distant mountain, they work 40½ hours in four days. I give apprentices herrings, and every allowance they had as slaves. I ask no women with six children to do any labour. I give the same field cooks and nurses as formerly. I have moved no watchmen from the negro grounds. I pay 10*d.* a night to a watchman for the cattle pen. I ask no one to watch at the works or other buildings. I have become responsible to the medical attendants for practising for the free children, on the parents engaging to repay that expense by labour in crop; and to many children mothers I give the old allowance of oatmeal and sugar, on the promise to work for the payment of them in crop time.

Do you consider the estates can afford to pay such high wages; and if so, have you taken into consideration the cost of labour in producing sugar in the East Indies and foreign colonies, with which our sugar must enter into competition?—I consider estates can afford to pay the wages I have stated; but I have not calculated the cost of labour in producing sugar in the East Indies and foreign colonies.

On what reasons do you ground that belief?—On the ground that the labour of crop is usually performed more willingly than any other; and that after having seen a large mass of labourers fall into the new system so readily, there is reason to expect they will work as cheerfully as they have done at the labour they give the preference to.

Is it not a natural consequence that estates negroes can afford to dig cane-holes 40*s.* or 50*s.* per acre cheaper than what is paid to jobbers, inasmuch as to them it is all profit, whereas the jobbers are supported by the masters, of whose capital they form a portion?—Clearly so.

Do you expect under the new system to keep up the crops on the estates under your management, to their former average, and without additional cost; if so, state on what data you ground those opinions?—I certainly do not.

When you felt a desire that the apprentices under your charge should hire themselves for money wages, did you not yourself personally make known to them that desire, conceiving that such a communication would come with more effect from yourself than from an overseer?—I did, in every instance but one or two.

How many apprentices were punished upon Williamsfield, Hampstead and Leyden respectively, by order of the special magistrates?—To the best of my recollection, five apprentices upon Leyden, five upon Williamsfield and one upon Hampstead, including depredators on cane pieces and negro grounds, have been punished by order of the special magistrate.

State the nature of the complaint against the negroes on the occasions that led to their punishment?—One complaint at Leyden was for cutting canes, four, I believe, for not doing work enough in the field; one at Williamsfield for stealing from the provision grounds and then running away; one for not working sufficiently in the field; three for the same fault and absconding while in charge of the constable on the road to the magistrate. The case at Hampstead was for impertinence to the overseer in the field.

N.B.—I forgot to state yesterday in answer to one question, an instance of insubordination at Windsor Lodge estate, where the overseer took the negro offending, without consulting me, directly to Captain Clark. The case was, an apprentice having left the field contrary to orders to remain out digging cane-holes, a quarter of an hour before the legal four hours and a half were worked out on the Friday. The punishment was 25 lashes at Latium estate. It appears to have had a salutary effect, as the individual has since behaved very well, and has done more cane-holes at his own time than any apprentice on the property.

JAMAICA.

Extracts from the Examination, upon Oath, of *George Cragg*, Esq.; Thursday, 6 November 1834.

State your connexion with this island?—I was a merchant at Montego Bay, and for the last ten years proprietor of a sugar estate. I reside on my own estate, the Bogue, in St. James's.

How many apprentices have you under your charge?—About 290.

Is there any discontent, as far as you know, existing in the minds of the apprentices under your charge?—They show a great aversion to work the hours prescribed by law.

At what period did they begin to show that aversion to the performance of their duty?—From the 15th to the 20th August.

Do they notwithstanding that aversion perform satisfactory work?—They do not, either in quantity or in quality.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They do not.

Do you believe there is any organized system in operation throughout the island, or secret agency, to persuade the negroes not to work and not to bind their children that are free apprentices?—I am not aware of any organized system or secret agency, nor am I aware of a child under six years of age being apprenticed.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I am not aware of any instance. I made some sugar on my estate, the Bogue, the early part of August, and the apprentices worked in their own time for money wages.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—I paid each apprentice 1*s.* 8*d.* for nine hours' labour of able people in their own time, the second gang 1*s.* 3*d.*, and I am willing to continue to pay them the same rate of hire. This was for the manufacture of sugar.

Would you be equally ready to pay the same rate of hire out of crop for field labour?—I should.

When you pay that rate of wages, do you at the same time give herrings, &c.?—Yes, I give them herrings and their usual indulgences whilst they behaved themselves. I have lately stopped their herrings in consequence of insubordination.

Do you think that the same people would now work for the same rate of hire?—I have doubts on that head.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—They do not, as far as my observation has gone.

Are you not aware that paying this rate of wages, in addition to usual allowances, must be a considerable increase on the expenses of carrying on the business of a sugar estate, and must therefore be a call upon your capital not previously existing?—Certainly it will, for this reason, for we had the labour of the slaves during crop time free of hire in their extra time.

State to the Committee your opinion generally as regards the working of the new system?—As far as I am acquainted, the master has not had the labour of the apprentice to the extent prescribed by law. The apprentices have frequently absented themselves from their work, and when sentenced by the special magistrates to make good the deficiency, they have not obeyed the sentence.

Do the special magistrates attend upon the estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—If the special magistrate would do his duty impartially, it would be an advantage their attending the different properties within the district as frequently as the law at present directs.

Do you know of any other instances than that mentioned in your answer to the 11th question, where offers have been made to remunerate the apprentices for labour in their own time, and which they have declined accepting?—I know of no instance where the apprentices have been offered hire for their own time and refused.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for his piece-work?—I have already answered the first part of this question, but as to the hire of mechanics, it is a mere matter of agreement.

Do you find the negroes exert themselves more when working for wages in their own time than when working in their master's time?—I have not observed any difference.

Extracts from the Examination, upon Oath, of *Thomas Glen*, Esq.; Thursday, 6 November 1834.

Are you concerned in the management of landed property, and to what extent?—I am. I have six properties under my charge in Hanover, St. James and Westmorland.

What number of apprenticed labourers are under your management?—About 1,300.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Not to my expectations.

Are

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—Not generally so.

What is now the general conduct of the negroes; are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—I have not known any instance of direct insubordination from them, unless taking upon themselves to go to the hospital and refusing to leave it when directed to do so, against the authority of the manager and doctor, and also in the loss of time. They have never, in my opinion, worked any day for nine hours since the 1st of August. The three first weeks after that day, the people under my charge generally behaved well; but after that day they became sullen, and did not work as they formerly had done.

Have you found the apprentices disposed to work for hire during their own time?—I have tried them by a proposition for them to work during crop, but they refused to do so. I asked them if they would keep the factory going during breakfast and dinner hours; they replied, No, they would go by the law. The people to whom I allude were the people among whom I had longest resided and best known, and who are as well-disposed apprentices as I have ever known, and from whom I consequently had the best expectations.

Has sugar been made upon any estate under your charge since the 1st of August?—Not up to the time of my leaving home.

Can the crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working forty and a half hours in the week?—No.

What number of hours, out of the 24, do you consider it necessary that a sugar factory be kept in continuous operation, to enable the crop to be taken off?—Provided the apprentices would work cheerfully, and with good will, at least 18 hours in the 24, for five days in the week.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I fear not.

What would you consider to be a fair and equitable rate of wages to the apprenticed labourers for extra labour in their own time?—I think about two-pence per hour to the able people, and half that sum for the second gang.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—No, I do not think it.

Do you believe there is any organized system in operation throughout the island, or secret agency, to persuade the negroes not to work, and not to bind their children that are free apprentices?—Not to my knowledge.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—I think the apprentices are doing one-third less work.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—I do not think they attend to their grounds as formerly.

Do the special magistrates attend upon estates as the law directs; and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds, that it would answer a better purpose than holding their special courts, as at present they now do?—So far as I have observed and am acquainted with, the special magistrates do not attend on the estates according to law; and I am of opinion that their visiting the estates would be more beneficial than their holding their courts in town.

EXTRACTS from the Examination, upon Oath, of *George M. Lawson*, Esq.; Thursday, 6 November 1834.

How long have you resided in this island?—I am a native of this island. I left it early in life, and returned in 1789, since which I have remained in it, except for a short time, when I went to America in consequence of bad health.

Have you had the charge of many negroes, and in what situation?—I have been a proprietor of an estate in St. James's since 1810, on which I have resided.

Are the apprentices now working, as far as your observation goes, as cheerfully and as well as they did previous to the 1st August?—The apprentices appear to me to have worked most sulkily, and have not performed, at any average, two-thirds of their former work, and often not more than one-half.

Have you known in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties, to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—My negroes say they will take off next crop for wages during their own time, but will not specify the sum. This I consider an evasion.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—They do not; and in the neighbourhood of Montego Bay they prefer stealing wood, grass and fruit for sale, to working in their grounds. Some, however, do attend to their grounds.

State to the Committee your opinion generally as regards the working of the new system?—If the negroes are not convinced that refusal to work will be punished, the new system will not work well.

JAMAICA.

Do you know of any other instances than that mentioned in your answer to the former question, where offers have been made to remunerate the apprentices for labour in their own time, and which they have declined accepting?—Not of my own knowledge. Those with whom I have the pleasure to associate, do not think that the negroes will work for such remuneration as is within the reach of the owners of the estate.

Are you of opinion from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not.

Extracts from the Examination of *Herbert N. Jarrett*, Esq.; 7 November 1834.

How long have you resided in the island?—I have been in the island seven years.

Have you had the charge of many negroes, and in what situation?—I have had and continue to have the charge of 700 negroes, as proprietor.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They certainly are not working either as cheerfully or as well as they did previous to the 1st of August.

Have you known, in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I offered my own negroes money wages, at the rate of 2*s.* 6*d.*, with the usual allowances for nine hours' actual labour, but they all refused.

Do you allow the apprentices their former allowances of fish, &c.?—I do not now, because the trash-house was set on fire, but previously to then they had the same allowances as before the 1st of August.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—About one-third.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their master?—The majority of my apprentices generally attend to their grounds.

By whom was the proposition to work for wages made, directly to your apprentices?—It was made by my overseer, by my direction, to the whole gang in the field. I was myself residing on the estate at the time.

State to the Committee your opinion, generally, as regards the working of the new system?—I think it works very indifferently.

What do you consider the best means to be adopted to remedy its defects; and if not remedied, what is your opinion of the result likely to arise from it?—I consider that the only means that can be adopted to remedy its defects, are, an increased number of stipendiary magistrates, with a larger police, or other force, to carry their orders into effect; if which plan or something like it be not adopted, the estates must be thrown up.

Do you apprehend that your apprentices will not work for wages at any time when called upon to do so by yourself, and addressed in a familiar manner?—It is my opinion they will not.

Are many of the negroes under your charge married?—The majority of them, by the rector of the parish.

Extracts from the Examination of *John Stuart Jerdan*, Esq., Special Magistrate, St. Thomas-in-the-East, St. Mary's.

From the experience you have had in that capacity, how is the new system succeeding?—Very indifferently indeed. Upon scarcely any estate or plantation I have visited are the apprentices doing more than two-thirds of the work they used to do in an equal number of hours previous to the 1st of August. In the manufacture of sugar, the falling off is still more apparent, and from the general unwillingness of the apprentices to work in their own time for wages.

Extracts from the Examination of *Patrick Charles Crichton*, Esq., of the Parish of St. Mary.

For what properties in this island are you concerned, and how many negroes have you under your care?—I have the management of three sugar estates, one in St. Mary, one in St. George, and one in Portland, on which there are about 800 negroes, and I am jointly concerned with others for about 200 more (negroes.)

Have you found the working of the new system satisfactory on those properties generally, compared with the former system, allowing for the amount at present of 40½ hours only by the master?—I at once made up my mind to a considerable diminution in our crops, but have not even found the new system answer so well under all disadvantages. I at first had reason to hope, and I attribute its not answering my expectations chiefly to the following causes; viz. to the general disappointment on the part of the apprentices at not finding their ideas of emancipation realized to the extent they expected; to the very inadequate number of stipendiary magistrates, from whence the want of power on the part of the manager to punish misconduct with sufficient promptitude, which leads the apprentice to think he can act with impunity; and to the great variety of schemes at work in the same neighbourhood,

bourhood, which bewilder the apprentice, and render him suspicious of the best intentions of the master.

Have you or any of them made arrangements with the apprentices tending to insure to the estate the quantity of labour necessary to take off crop?—The whole of my apprentices agreed to give up the 4½ hours on Friday, in consideration of receiving the liberal extra allowances of salt (*i. e.* herrings), of clothing, &c. as formerly, and to have food and clothing, medical attendance, and medicines for their children non-free. Upon Golden Vale in Portland, and Quebec in St. Mary, (the two properties on which, from their strength, I thought such an arrangement likely to answer,) they further agreed, when mill was put about, to be divided into two gangs for the mill and boiling-houses; the first to turn out at 4 o'clock A.M. to work till 1 o'clock P.M., to be then relieved by the second, which was to work until 10 o'clock P.M., the people in the field continuing at work nine hours per day. A sufficient number of apprentices on both these properties likewise volunteered to keep the mill and boiling-houses at work from 10 o'clock P.M. until 4 o'clock A.M., for wages at the rate of 1*s.* per night, or 5*s.* per week of five days; and I am of opinion that a certain loss to the estate occurs every time the fires are damped. At first we made about two-thirds of the quantity of produce which we used to make under the old system, although we never had the mill and boiling-houses at work above three entire nights in the week. At the same time the field work fell back, which, in the parishes above mentioned, demands constant attention. I am sorry to add, that latterly they have not done so well.

Will you state what passed at the time of your communicating to the apprentices your wishes to hire them in their own time?—They agreed to my plans upon my strongly representing to them the necessity of their so doing for the good of the estates and for the benefit of their families and of themselves, as they would thus procure the means of educating their children, and of putting by something previous to the end of the apprenticeship system. I especially pointed out to them the great advantage of acquiring a character for industry and good conduct.

You, of course, thought that a communication of such an important nature at a time that the good will of the negro to work for wages was much doubted, would best come from yourself?—I was certainly of that opinion, and thought it a duty incumbent upon me to do so.

Were you prepared to meet with some difficulties on the part of the apprentices, and did you feel the necessity of familiarly explaining to them that it was for their interest and the interest of the estate to do so?—For 18 months back I endeavoured to prepare the negroes under my charge for the great change that took place on the 1st of August last, and by far the greater number of my apprentices, including all the head people and those of best character, came at once into my views.

Have you calculated whether or not the pay you give now is such as the estate can afford during the remainder of the apprenticeship?—I have done so, and trust that I may advantageously continue the rate of wages I have given.

Have you found your apprentices indolent, unruly, or insubordinate since the 1st August?—All my overseers have complained much of their indolence; and in one instance the women were so insubordinate that the special magistrate sent three of them to the workhouse for a fortnight. Neither do the head people meet with that respect to which they were accustomed as slaves.

Have the neighbouring estates entered into a system of money wages; and if not, state as far as you know, the causes of not doing so?—I am not aware of what arrangements my neighbours have made.

EXTRACTS from the Examination, upon Oath, of *William M. Kerr*, Esq.; Friday, 7 November 1834.

ARE you concerned in the management of landed property, and to what extent?—I am in the management of my own property, and another of which I am executor, in the parish of St. James.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Indifferently.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, they are not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No; in many instances they are very insolent, particularly the women.

Have you found the apprentices disposed to work for hire during their own time?—I have on my own estate within the last two weeks. The men had been digging cane-holes at the rate of half a dollar a hundred in their own time; they commenced on Friday, after having performed their proportion of labour for me (say at half-past ten), the job was completed at five o'clock the same day, and they were willing to engage a similar job at the same rate.

How many of your people engaged at this work?—About 14; but more were willing to engage had I required them.

Has sugar been made upon any estate under your charge since the 1st of August?—No.

Looking at the present state of the country, what regulations do you consider to be necessary to secure the peace of society, and the continued cultivation of the estates?—I consider an increased number of magistrates as absolutely necessary, and some power to enforce their orders, so that the law may be fulfilled. At present there is no power on an estate for carrying

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carrying into effect the magistrate's orders, and they are often disobeyed, which at once creates insubordination.

Do you think there is any organized system in operation throughout the island, or secret agency to persuade the negroes not to work and not to bind their children that are free apprentices?—I am not aware that there is.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—I should say barely one-half, generally speaking.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—I consider not with respect to the young able people; but the elderly people do attend to their grounds.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts as at present they now do?—They do not visit often at present, and it would be far preferable than their holding their courts in town.

Have the negroes in Guilsbro' offered to work for wages; and how have they conducted themselves since the 1st of August?—I am not aware of their having offered to work for wages on Guilsbro'; but I have heard Mr. Gordon say that their behaviour has been satisactory to him.

EXTRACTS from the Examination of *Samuel Anderson*, Esq.

How long have you resided in this island?—I am a native of the island, and with the exception of seven or eight years, I have been all my life in it.

Have you had the charge of many negroes, and in what situation?—I have the charge of a few estates, and several small properties; the former I represent by power of attorney from the proprietors; some of the latter I am owner of, on all of which there are many negroes.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st August?—The apprentices in the parish of St. James, where I reside, have been doing little or nothing since the 1st August: they are insolent in the extreme.

Do you believe there is any organized system in operation throughout the island, or secret agency to persuade the negroes not to work, and not to bind their children that are free, apprentices?—I have been given to understand that in the district where the late rebellion was, there are continued nightly meetings being held by the negroes, which cannot be held for any good purpose. The estate under my charge in St. James, which is separated from Hanover by Great River, the King's Road runs through; it is therefore a general and regular thoroughfare. At all times of the night negroes in numbers are seen (from dark until day-light) going through, both riding and walking, supposed to be congregating in the neighbourhood. I have not heard of any instance where the mothers have permitted their children to be apprenticed, although they continue to keep them on the masters' properties. On Flower Hill estate, in my charge, there are 44 under six years of age, not one of whom will the parents apprentice.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition?—I have repeatedly offered not only a fair, but a high rate of wages; but the apprentices under my control have refused to work in their own time.

What proportion of labour is now obtained, in comparison with that formerly given, in your opinion?—They do in two days what is only one day's work, since the 1st of August.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—I have found them very neglectful of their grounds; living upon what they could steal, particularly the canes.

State to the Commissioners generally your opinion as regards the working of the new system?—Nothing could have been worse.

Are you of opinion from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not think the greater portion of the apprentices will work when entirely free; some few may.

What do you think a fair remuneration to the apprentice for his extra labour; the field-labourer for his day labour, the mechanic for piece-work?—I offered 1*s.* 8*d.* and 2*s.* 6*d.* per day for field, 3*s.* 4*d.* for tradespeople. I have very lately agreed to give men 3*s.* 4*d.* for every 100, and women 3*s.* 4*d.* for every 80 cane-holes; and strange to say, I got last Friday and Saturday some to do work.

Do you imagine the apprentices will continue to work in crop as well as you represent them to be working now?—It is impossible to say at this time.

You say that your apprentices have hired themselves for money wages; did you find any difficulty in inducing them to do so?—I did find considerable difficulty; and it is only the one solitary instance I named where they have worked.

EXTRACTS from the Examination of *William Miller*, jun., Esq.; Friday 7 Nov. 1834.

ARE you concerned in the management of landed property, and to what extent?—About 28 estates in Trelawney, St. James, Hanover and St. Ann's.

What

What number of apprenticed labourers are under your management?—About 4,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Not so well as I could wish.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—None.

Do you know of the managers or proprietors of estates having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—None.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, I do not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—They are sulky, and do their work with reluctance. There have been many cases of disobedience, particularly amongst the women.

Have you found the apprentices disposed to work for hire during their own time?—No, they have refused to work for hire. I offered a dollar a barrel for the picking of piments, and very few would do it.

What would that have given them a day?—At least 3*s.* 4*d.*

Has sugar been made upon any estate under your charge, since the 1st August?—None.

Can the crop of a sugar estate be taken off and the field cultivation continued by the labourers upon it working 40 ½ hours in the week?—No.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—At least 18 hours of five days' labour during the week.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I do not think so.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—To an able negro 1*s.* 8*d.* for every nine hours; for the second gang negro 10*d.* for nine hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—It is impossible.

How long have you resided in this island?—Seventeen years.

Have you had the charge of many negroes, and in what situation?—As attorney and trustee.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They are not.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I have offered wages in money, and very few would work for it. I am not aware of their motive for doing so.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—On some properties one-half less, and on others one-third.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—Yes, they look for larger wages than any proprietor can afford. I am not aware of any produce that will bear such wages as they look for, for their labour.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—I do not think the apprentices are cultivating their provision grounds as formerly. They are digging in their provisions and carrying them to market for sale. They are not cleaning up their grounds and moulding up the ground provisions after digging them in as they should do; and I am of opinion there will soon be a scarcity of provisions, when they will become a burden to their masters.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not think so.

Do you imagine the apprentices will continue to work in crop, as well as you represent them to be working now?—I cannot say.

You are not aware personally of any bad influence working generally on the minds of the negroes?—No.

EXTRACTS from the Examination, upon Oath, of *George Marrett*, Esq.; Saturday, 8 November 1834.

How long have you resided in this island?—Twenty-eight years.

Have you had the charge of many negroes, and in what situation?—I have had the charge of a good many negroes, in the capacity of attorney to absentees.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—No.

Do you know other instances in corroboration of that you mention; if so, please to state where this occurred, and on what occasion?—In corroboration of the above, I have to state, that until a few weeks past the apprentices on several properties under my charge were performing their work quite to my satisfaction; since that period they have performed less work, and that with less cheerfulness. In the year 1833 I fitted up a place of worship on an

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an estate where divine service was performed by a clergyman of the Church of England every alternate week. They were pleased with the establishment, and it was generally well attended until a few weeks after the 1st of August, when I received a letter from the clergyman, complaining of his want of a congregation. At the request of the negroes, I established a school on the same property, principally for the instruction of the children, which was voluntarily conducted by the overseer and other white people (book-keepers) employed on the property. This establishment was also very well attended for some time, but to my great regret both establishments are now neglected.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I was present when a gentleman in charge of an estate proposed to the apprentices to pay them wages for extra work, which they declined; the gentleman was the Custos of Trelawney, the Honourable William Miller.

What proportion of labour is now obtained, in comparison with that formerly given, according to your opinion?—It varies greatly on different estates. On some they relaxed a few weeks after the commencement of the new system; on others, they continued to work fairly, until a few weeks ago.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—I have not called on apprentices to work for wages.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—The apprentices carry a great quantity of provisions to market for sale. I have received some applications for additional grounds, which induces me to suppose they are disposed to work them.

Do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds, as law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—I consider it impossible for the present number of special magistrates to do so; I think if the parishes were divided into districts, and the magistrates visited the estates frequently, and at stated periods, it would answer a better purpose than holding special courts.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day-labour, the mechanic for piece-work?—Five pence for three hours' labour of the first class, 2 ½ *d.* for three hours of the second class, and 7 ½ *d.* for good tradesmen.

How many apprentices have you under your charge?—About 4,000.

Do you consider that your apprentices have been guilty of insubordination?—I have experienced no insolence, nor any instance of insubordination, unless the non-performance of a sufficient portion of labour may be so deemed, which I think not.

Do your apprentices work nine hours each day?—I do not think they do, particularly since the days have become shorter.

Do you allow the apprentices their former allowance of fish, &c.?—On one estate I stopped their former allowance of fish for a time, in consequence of the little work they performed. On a few others the supply of fish has been out for a few weeks, but I have directed a fresh supply to be purchased; but I have always reserved to myself the right of stopping it for ill conduct.

Do you apprehend that your apprentices will not work for wages at any time when called upon to do so by yourself, and addressed in a familiar manner?—As the apprentices were not working to my satisfaction, or with cheerfulness, I did not wish to subject myself to the chance of a refusal to such a proposition; and I fear the expense of taking off the crop will be so great, that I am anxious to expend as little money as possible.

If the parish of Trelawney were divided into districts, how many special magistrates do you consider would perform their duty according to law, namely, to visit each property with 40 apprentices in 14 days?—By leaving out some mountain properties far back in the interior, I think if the parish was divided into three districts, two magistrates to each may perform such visits.

You have, I believe, the management of Swanswick estate in Trelawney, and have been lately employing a jobbing gang there; if so, pray state if the negroes of that estate refused to hire themselves for money wages, and if you were by that refusal obliged to hire jobbers?—I did not apply to them to do so.

In making your calculations as to the rate of wages, have you taken into consideration the cost of producing foreign sugar, with which ours must enter into competition?—No.

EXTRACTS from the Examination of *William Tharpe*, Esq.; Saturday, 8 Nov. 1834.

ARE you concerned in the management of landed property, and to what extent?—Fourteen properties, in Trelawney, Hanover, Westmorland and St. Elizabeth.

What number of apprenticed labourers are under your management?—About 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very indifferently.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, certainly not.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—They appear to be quite dissatisfied and sullen in many instances, and very touchy; so much so, that it is unpleasant for the white people to address

address them. I speak particularly of the properties under my charge in Trelawney, on my own estate in Westmorland, and the other properties under my charge; in Hanover and St. Elizabeth there appears to be a better feeling, but still not equal to their former general conduct.

Have you found the apprentices disposed to work for hire during their own time?—Some have promised, some have refused, and others replied to me by stating, that they would wait until they saw what other estates' apprentices would do.

Has sugar been made upon any estate, under your charge, since 1st August?—No.

Can the crop of a sugar estate be taken off, and the field cultivation continued by the labourers upon it working 40½ hours in the week?—Decidedly not.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I should think 16 hours.

Do you mean to say that you consider 16 hours' labour for five days in the week sufficient to take off your former average crop?—I do not mean to say that the old average crops can be supported; but I consider sugar can be supported profitably, if the apprentices will work for a fair rate of wages combined with 16 hours' continuous labour in crop time; the Abolition Act being otherwise enforced.

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers, for extra labour in their own time?—I should consider at the rate of three half-pence an hour as the fullest extent that the master could afford to give.

How long have you resided in this island?—Twenty years.

Are the apprentices now working, as far as your observation goes, as cheerfully and as well as they did previous to the 1st of August?—Decidedly not.

Do you think there is any organized system in operation throughout the island, or secret agency, to persuade the negroes not to work, and not to bind their children that are free, apprentices?—I cannot from my own knowledge say that there is any organized system in operation, on the part of the apprentices, to flinch from their duty; and with regard to their children, I think it is only natural that they should wish them to remain as they are.

What proportion of labour is now obtained, in comparison with what was formerly given?—

(A.) Jamaica, ss. 31 Oct. 1834.

MEMORANDUM of Work performed on the *Covey* Estate, Parish of Trelawney, the Property of the Heirs of *John Tharp*, Esq. deceased, previous to and since the 1st of August 1834, taken from Estate's Journal.

Since the 1st of August:	Before the 1st of August:
First gang, averaging 51 able hands, took 6½ days hoeing off 5 acres of rubbish from land, for making manure, which averages 66 hands to the acre.	First gang, averaging 70 able hands, took 3 days hoeing off 9 acres of land rubbish, for making manure, which averages 23 hands to the acre.
First gang, averaging 56 able hands, took 13½ days to dig 9 acres of cane-holes, which averages 84 hands to dig each acre.	First gang and road gang, averaging 108 able hands, took 2½ days to dig into cane-holes 9 acres of land, which averages 30 hands to dig each acre.
First gang, averaging 45 able hands, took 5 hands to trash 14 acres of canes, which averages 16 hands per acre.	First gang, averaging 64 able hands, took 1½ day to trash 10 acres of canes, which averages 9 hands to the acre.

The first gang, 58 *field labourers*, lost half an hour daily, since the 18th day of August to the 31st of October, making three whole days each, and a total of	174	days.
The second gang, 24 labourers, lost the same time in the mornings	72	„
The third gang, 35 labourers, lost the same time in the mornings	105	„
And grass cutters, 10 labourers, lost the same time in the mornings	30	„
Total	381	„

I, William Williamson, do swear that the within statement is correct. So help me God.

(signed) *William Williamson.*

Sworn before me, this 30th day of October 1834. (signed) *J. W. James*, J. P.

Jamaica, ss.

Covey Estate, 27th October 1834

I, William Williamson, overseer of the above-named sugar plantation, the property of the Heirs of the late John Tharp, Esq., deceased, do hereby declare, That the first class of apprenticed labourers belonging to the said property have only performed, since Monday morning the 13th instant to Friday the 24th instant, being nine labouring days according to law at nine hours per day, to dig into cane-holes scarcely six acres of soil or land; the gang averaging daily 56 able effective hands on hoe, exclusive of constables and cooks, &c.; making the average of only 32 holes per day performed by each labourer. I, William Williamson, further state, that they, the said apprentices, have had allowance of herrings as previous to the 1st of August last past during that period, exclusive of rum and sugar twice each

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each day at the rate of one quart of rum to every eight, and one quart of sugar to every six. And I furthermore affirm, that previous to the 1st day of August last past, the same people averaged seventy holes each per day. So help me God.

(signed) *William Williamson.*

Sworn before me, this 28th day of October 1834.

John Ketty.

Do the apprentices attend to their grounds and otherwise employ their time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—They abound in provisions at present, and I think they pay as much attention to their grounds as formerly. They certainly appear anxious to increase their own comforts in every way.

State to the Committee your opinion as regards the working of the new system?—As it is working at present, the cultivation of sugar, in my opinion, cannot be carried on without a serious loss.

Do the special magistrates attend upon the estates as the law directs; and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts as at present?—I certainly think so, and I consider holding the courts in the town on a specific day every week, attracts large bodies of apprentices together from all quarters, under the cloak of seeking justice, but who, in fact, collect together to concert plans for the annoyance and injury of those in authority over them, besides the loss of time in sending witnesses to attend.

Do you know of any instance where the apprentices are working for wages?—I have heard of a few instances.

EXTRACTS from the Examination of *Robert Fairweather*, Esq.; Saturday, 8th November 1834.

ARE you concerned in the management of landed property, and to what extent?—Yes, to a pretty large extent in St, Mary's, St. George's, St. Ann, St. Thomas in the Vale, and Clarendon.

What number of apprenticed labourers are under your management?—Upwards of 3,000.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—Very badly.

Do you consider that there has been any unwillingness on the part of the managers of estates to enter fairly upon the new system?—Decidedly not.

Do you know of the managers or proprietors of estates having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance of their duties under the law?—I certainly do not.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—No, not much more than half generally.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—There is a kind of passive resistance, and in many instances becoming insolent and insubordinate.

Have you found the apprentices disposed to work for hire during their own time?—Partly so on some properties and on others not.

Has sugar been made upon any estate under your charge since the 1st of August?—Yes, on several.

What arrangements have you been able to make to keep the mills going, and for what number of hours out of the 24?—I have made arrangements for keeping the mill about 12 hours of each of the five days with the people there, and in the boiling-house; those in the latter to continue on for six hours more, if there is liquor sufficient, and for so doing, those in the mill-house, for their extra time, I give 3*s*. 4*d*. on each Saturday morning to the able hands, and to the weakly or young hands, 1*s* 8*d*.; and to the people about the boiling-house, say the able hands, 3*s*. 4*d*., and the weakly or young ones, 1*s*. 8*d*.; and to those in the boiling-house an extra allowance, at the rate of 5*d*. for three hours for any further extra time at night. Still I do not consider this time sufficient, and that we would require for getting off the crop in proper time to have, by the changing of spells, at least 18 hours out of the 24 for five days, beginning at four o'clock in the morning for first spell, and going on for nine hours; the second spell taking it up from that time, and working nine hours also.

Taking the average of the estates under your management, what has been your weekly work by this mode of working, compared to what you formerly made?—As near half as possible.

At that rate how is your crop to be taken off, and the field cultivation continued?—The crop on the ground may be taken off, but the field cultivation cannot be continued in a proper manner.

What number of hours out of the 24 do you consider it necessary that a sugar factory should be kept in continuous operation to enable the crop to be taken off?—I have already stated I consider 18 out of the 24.

Do you, from your experience and knowledge of the negroes, believe that they will be induced voluntarily to give that number of hours' labour for such rate of wages as you can afford to pay them?—I very much fear they will not.

What

What would you consider to be a fair and equitable rate of wages to be paid to the apprenticed labourers for extra labour in their own time?—I have already stated at the rate of 5*d.* for three hours.

Do you consider it possible to carry on the manufacture of sugar under existing circumstances?—I do not.

How long have you resided in the island?—Nearly 33 years.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—By no means, and not doing much more than one-half of the work they were doing before the 1st of August.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—In several, and I fear with a view of extorting a higher rate of wages, that we could not afford, or to make us give up the apprenticeship.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—About one half generally.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—Very much to the contrary, and travel all over the country in an idle state, and rendering themselves unfit for labour in the beginning of the next week.

Are you of opinion from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I am of opinion they will not.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—About 5*d.* for three hours, or at the most 2*d.* for each hour, and mechanics in proportion.

Have any instances come within your knowledge of any estates' negroes, besides those under your charge, having hired themselves for money wages?—I know the negroes on several other properties work extra time for money and some for allowances.

What proportion of sugar is now made on the estates under your charge, to what was made previous to the 1st of August?—About one-half.

Do you make that calculation with reference to the price of labour in foreign colonies with which we have to compete?—No.

As you hire your people for three extra hours every day while your mill is about, do you think that they would be equally ready to work for wages for the number of extra hours you might require, say from three to seven hours in the 24, besides those to which you are by law entitled?—The negroes about the boiling-house I have got to work for wages after dark, but those about the mill-house I have not asked.

Are your prospects favourable or unfavourable as to the future state of things in relation to the system of apprenticeship, and as regards the profits of the planter, depending much as they do on the conduct and good will of the negroes?—Unfavourable.

Is there any discontent, as far as you know, existing in the mind of the apprentices under your charge?—The apprentices show a passive resistance. Still there is an unpleasant doggedness about them, unwillingness to work, and in many instances they are many of them inclined to be insolent.

At what period did they begin to show that aversion to the performance of their duty?—Since the 1st of August last.

Do they, notwithstanding that aversion, perform satisfactory work?—Not at all.

Did you find any difficulty in inducing the negroes to hire themselves for the three hours of their own time, and have you any reason for supposing that having hired themselves for three hours, they would not do so for more?—I have found some difficulty to get the apprentices to hire themselves on some of the properties for the three extra hours of their own time, and on others very little; but generally they have a very great aversion to keep spell at night.

You state that you only make one-half quantity of sugar to what you previously did; state what is the cause of that deficiency?—From the decreased quantity of labour and time, and want of power to enforce it.

EXTRACTS from the Examination of *John Douglas*, Esq.; 8th November 1834.

How long have you resided in this island?—Nineteen years.

Have you had the charge of many negroes, and in what situation?—From 300 to 400, as overseer.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—Certainly not.

What proportion of labour is now obtained, in comparison with that formerly given, according to your opinion?—The same number of negroes that formerly cut canes to make fifteen hogsheads, only will now in the same time cut canes to make seven or eight hogsheads; the same number of wains, wain-men and steers, which formerly carried canes to make fifteen hogsheads, only now carry canes to make seven or eight hogsheads; and the same number of coopers that used to make casks for the fifteen hogsheads, now only make seven or eight. Before the 1st of August, 10 negroes would turn trash on an acre of canes, and since

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since then it invariably takes 20 or upwards; the same proportions stand good in every other description of plantation business.

Were those seven or eight hogsheads made without any cost of money, or extra indulgences?—The persons employed in manufacturing sugar were paid at the rate of 10*s.* per hogshead, in addition to all their former allowances, and many of them after they were served with herrings, returned and threw them back into the barrel, and very reluctantly took the money, saying it was not enough; besides which, I allowed them three hands more than usual.

What rate of wages did you agree to give for the performance of the labour alluded to in your previous answer?—At the rate of 3*s.* 4*d.* each for the mill gang, and 4*s.* 2*d.* for the boiler-men, in consequence of their having to boil off; and this was for about 16 extra hours.

You found them ready to work for wages, but not content to take what they had previously agreed for?—I did not find them ready to work for wages until I gave them three extra hands, and then they took the money reluctantly.

Do the apprentices attend to their grounds and otherwise employ their extra hours to advantage, so as to increase their own comforts, and render them not liable to become a burden on their masters?—In our neighbourhood the cultivation of provisions has been abandoned since the 1st of August; they employ their extra time in utter indolence; and from all appearances the period is not far distant when a famine will ensue.

State to the Committee your opinion, generally, as regards the working of the new system?—It is working very badly.

What do you consider the best means to be adopted to remedy its defects, and if not remedied, what is your opinion of the result likely to arise from it?—More stipendiary magistrates appointed to execute the laws, as also a scale of wages for the extra time of the apprentices to compel them to work, or the result will be, the cultivation must shortly be given up, and the proprietors ruined.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, it would answer a better purpose than their holding their special courts as at present they now do?—I consider the special magistrates attending on estates as the law directs would answer best.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—At the most, 1*s.* 8*d.* for nine hours of night labour; tradesmen in proportion; 1*s.* 3*d.* day labourer.

Have any instances come within your knowledge of any estates' negroes, besides those under your charge, having hired themselves for money wages?—Some for money, and some for allowances, but very few.

EXTRACTS from the Examination, upon Oath, of *Rudolph Lewis*, Esq.; Monday, 10 November 1834.

How long have you resided in this island?—Since 1819.

Have you had the charge of many negroes, and in what situation?—I have the charge of 380 negroes, and am the manager of a large coffee plantation (Albion) in the parish of Manchester.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They do not.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I have myself offered 10*d.* to work the half a Friday, which they refused to take, and said they would rather have their time.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—We obtain about two-thirds of labour which was formerly given.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—They do; but I am of opinion that they will work for smaller wages on properties not belonging to their masters. I hire some myself on their own time at 1*s.* 8*d.* per day, but they will not work for that sum for their masters.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—They do not employ their extra time to advantage to increase their comforts. They were industrious from the 1st to about the 20th August last, but since that period they have relaxed to make themselves comfortable; and I think that they have a notion since they have been valued, that their masters have no further claim upon them, being already paid for their heads, and that they will soon be at liberty to change their residence, and would consequently work to no purpose.

State to the Committee your opinion generally as regards the working of the system?—If the laws were in general put into execution by the special magistrates, the system would work much better than I anticipated, and that properties would be cultivated, particularly coffee plantations.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in this island were divided into districts, and the special magistrates compelled

compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts as at present they now do?—The special magistrates do not attend upon the estates as the law directs, it being utterly impossible for one individual to do what the law requires of these gentlemen. I am of opinion that if the parishes were divided into districts, and special magistrates placed in each, that it would be of great advantage to the island at large. The parish of Manchester, I think, ought to be divided into four districts.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I doubt that they will engage in regular agricultural labour when the period of their apprenticeship is expired, because they are too indolent to work, and food being so easily obtained.

EXTRACTS from the Examination of *William Reeves*, Esq.;

Tuesday, 11 November 1834.

How long have you resided in this island?—Upwards of 46 years.

Have you had the charge of many negroes, and in what situation?—A considerable number, about 1,800; as attorney and manager, &c.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—No, very much to the contrary.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause can you attribute it?—I have not at this period had occasion to offer any remuneration for labour which had not been rejected.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—The deficiency of labour generally since the 1st of August may be considered fully one-third, considering the reduction of the hours of labour.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—The payment required for hire by the apprentices is much beyond what the planter can afford to enable him to hold his property.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—I am inclined to think the apprentices in the parish where I reside are by no means cultivating their provision grounds so well as before the 1st of August.

State to the Committee your opinion generally as regards the working of the new system?—My opinion of the new system is, that it is quite inadequate to the cultivation of sugar, and indeed to the other staples of this country.

What do you consider the best means to be adopted to remedy its defects; and if not remedied, what is your opinion of the result likely to arise from it?—I know no better means than by strictly enforcing the laws by the special magistrates, which may require to be increased. If some measures are not shortly adopted, the evil will grow to an extent which will bid fair to be ruinous to the planter.

Do the special magistrates attend upon estates, as the law directs; and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—The attention of the special magistrates has of late become pretty regular; but from the extent of Trelawney, the number of these being increased, would, I conceive, answer every purpose, if they are strictly enjoined to act up to their duty.

Do you know of any other instance than that mentioned in your answer to the eleventh question, where offers have been made to remunerate the apprentices for labour in their own time, and which they have declined accepting?—Yes, several; but not under my control.

Are you of opinion, from the present reluctance evinced on the part of the apprentices, even for emolument in their own time, that they will engage in regular agricultural labour, when the period of their apprenticeship shall have expired?—It appears a matter of considerable doubt, whether any considerable portion of the apprentices will continue to work, even for themselves, when their time is out.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—I think the able apprentice may be paid 1*s.* 8*d.* for nine extra hours; the weaker ones less, 10*d.* or 1*s.*; the mechanic, 2*s.* 6*d.*

Do you imagine the apprentices will continue to work in crop, as well as you represent them to be working now?—I have much doubt whether a great portion of the apprentices will not prove unwilling to continue the work in the crop in a better manner.

Will you give an instance of any act of insubordination that has occurred within your knowledge, on any of the properties for which you are concerned?—No violent act of insubordination, beyond the partial evasion of work and insolence, to the respective persons having charge of them.

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EXTRACTS from the Examination of *William Stanford Grignon*, Esq.

How long have you been in the island?—I arrived in this country in 1798, and have continued here ever since, with the exception of a short visit to America.

Have you had the charge of many negroes, and in what situation?—I have had the charge of a few negroes, as proprietor, and I have had the charge of several sugar estates and other properties, as attorney and receiver, on which there were a great many negroes.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—Decidedly not. On the 30th July the head people on Salt Spring estate, on which estate I resided for nearly 12 months, came to me and stated, that they wished to have nothing to do with the new law; that they were quite content to go on as they had been doing previously. I told them I could not think of allowing that, as the new law had given them a considerable increase of time, which I could not think of depriving them of; but that if they would keep watch, and assist the estate in other respects, I would still continue to feed and clothe their free children, pay their doctors' bills, and give them all the benefits which they previously had. On the 31st July the negroes came to me, and in the most civil manner told me that they were sorry they could not do what they proposed, as they had been informed if they did so, they would be kept in slavery seven years longer. I told them they were misinformed; but they still refused to come to any terms. On the 4th August they went out to their work, and worked well. On the 5th, as I was passing the field, some of them came out and said, that they understood they were working contrary to law. After a good deal of conversation, I asked them if I had ever deceived them; they answered, they were satisfied master would not tell them a lie, but that master was speaking according to the Jamaica law, and they were entitled to be managed by Lord Mulgrave's law.

Do you know other instances in corroboration of what you mention?—My overseer at Spot Valley, Mr. Creaver, informed me, that the people the first week of August worked well; but afterwards did very little. The negroes have, in many cases, refused to work for wages; and at their ordinary work, they do much less than they did formerly. I notice also that after speaking to them, they work for a few days, and better, but which does not continue. I know no instance of any child having been apprenticed.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition?—I know that both at Spot Valley and Salt Spring, and also Mr. Deffell's estates in Trelawney, Hampstead and Retreat, that I offered the negroes to let them have according to law every Saturday, and every other Friday to give them herrings, take charge of their young children, as heretofore, and in fact every other comfort that they were in the habit of receiving during their state of slavery; and all I required from them in return was, to keep watch as usual at night, which they refused to do.

What proportion of labour is now obtained, in comparison with that formerly given, according to your opinion?—It is impossible to state the exact proportion, as some estates do more, and some less. But Salt Spring estate, on which I believe the negroes are behaving as well as any in the parish, I am satisfied we lose at least one-third of their labour; at Spot Valley considerably more. At this estate I will mention one particular instance;—the grass piece, which last year took one week to clean, this year the negroes, equal in number, were four weeks in doing.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder, calculating on the present?—I cannot say that the negroes under my care have required any specific sum of money. I have made them a proposal, but have not yet got their answer. I proposed to give them 5*d.* for every 10 cane-holes, and have proposed to give them 5*d.* for every three hours they shall work in their own time during crop. I have however declared I will not employ them to dig cane holes, or do other work, unless they at the same time agreed to take off the crop; as I should consider it a waste of money to cultivate canes which you are not able to take off.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—As far as I have seen, they do not. Saturday being market-day at Montego Bay, the town is generally crowded with negroes, and I cannot say whether they are selling their provisions, or idling their time away; but I notice a great number of negroes in the town on the latter part of Friday, when I should consider they ought to be attending to their grounds. I understand that they are generally very much neglecting their grounds.

State to the Committee your opinion generally, as regards the working of the new system?—I consider that at present the new system is working very badly; and that unless some measures are adopted to alter and amend the present law, the system will be ruinous to the country.

Do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—Respecting dividing the parishes into districts, I should conceive the same would be beneficial, and that magistrates should attend regularly, provided they performed their duty with impartiality. The holding the special courts in the town, I speak of Montego Bay, has been a perfect nuisance

Do you know of any other instances than that mentioned in your answer to the 11th question, where offers have been made to remunerate the apprentices for labour in their own time, and which they have declined accepting?—I mentioned in one of my former answers that I had made certain offers to the negroes to work for wages, but had not received their answer. By the post of to-day I have received three letters from my overseers, and with the sanction of the Committee, I beg to read:—

Sir, Salt Spring Estate, 4 Nov. 1834.

According to your wish, I mentioned to the people here about working from five o'clock in the morning to nine in the evening: however I got no answer for some time; at last some one said they would not work for 5 *d.* for three hours.

I remain, Sir,

To W. S. Grignon, Esq. (signed) *F. R. Coy.*

Sir, Spot Valley, 11 Nov. 1834.

I received yours respecting the work you wished to get done in crop time, and I read it to the people. Some of them seemed inclined for to comply with it, but says they must have Saturday; others want 10 *d.* per hour, and says that they will not work for less, and says that they will not make any bargain but with the special magistrate; and all of them says that 1 *s.* 8 *d.* is too small for a day's work. It appears to me they must be settling some plan amongst themselves, and will most likely keep their sentiments back till such time as the mill goes about, and then think they will get what they demand for their own time.

And I remain, &c.

To W. S. Grignon, Esq. (signed) *Jno. Crerar.*

Dear Sir, Hampstead, 4 Nov. 1834.

You expect to learn from me how the people are behaving. I can only say they are doing as well as any in the neighbourhood. They digged their task of 75 holes, but could only prevail on two to work for money (say the driver and another.) There was one man dug 150 holes in the day and part of a night, but the next day he did not dig a hole. Some of them finished their task by nine or ten o'clock, and I have asked them if they were going to work for money; the answer was "No."

I am, &c.

(signed) *W. Dexter.*

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not think they will; and I am grounded in this opinion from the following circumstance;—there are amongst my own negroes six who became free from having been in England; three of these were employed in agriculture on my pen in Westmorland; they all refused to continue such work, but offered to be employed by me if I would put them to some domestic occupation.

You are concerned for Leyden estate; state how the apprentices conduct themselves upon the estate?—I am jointly concerned for Leyden estate with Mr. George Gordon. He undertakes the planting department, and I the shipping of the produce. I never interfered with the negroes, nor did I know how they behaved, until some few weeks since two of them came to my office, and sent in a complaint to me that Captain Clark had caused them to be flogged; this induced me to inquire what had been the cause of their punishment, and I understood it was for improper conduct in not digging a sufficient quantity of cane-holes; but I refused having any thing further to say to them, and desired that they would go to Mr. Gordon if they had any complaints to make. I met Mr. Gordon afterwards, and mentioned to him that the negroes had been to me, and how I had acted. He said that the Leyden people had been behaving extremely well, but he did not know what had got into them, but that they were then digging a good quantity of cane-holes, I think 80 or 90; and I certainly did understand from the conversation that such improvement of work arose from the conduct pursued by Captain Clark. Captain Clark afterwards told me that he had occasion to punish them, and that instead of going back to the estate or Mr. Gordon, they ran away, and that he had issued a warrant to take them up and place them in confinement.

Did you not understand from Captain Clark they had been behaving very bad, refusing to work?—I did not understand from Captain Clark that they had refused to work, but that they had behaved ill and not worked well. I confine my observations of course to those who were punished by Captain Clark, and who had been to complain to me.

Examination of *John Harrison*, Esq.; 11 November 1834.

State your connexion with this island?—I have been nearly 32 years in this island, during which period I have been principally employed in the cultivation of and management of coffee plantations.

Are you concerned in the management of landed property at present, and to what extent?—I am; I have three properties under my management in Manchester, viz. Oldbury, Waltham and Hope coffee plantations.

What number of apprenticed labourers are attached to those properties?—About 450.

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What are the average crops of those properties?—The last was about 270,000 lbs.; the present, I suppose, will be about 160,000 lbs. of coffee.

From the experience you have had of the new system of labour established under the Abolition Act, how is it succeeding?—But indifferently.

Is there any discontent, as far as you know, existing in the minds of the apprentices under your charge, or otherwise in your parish generally?—They consider themselves imposed upon if the full quantum of time prescribed by law of nine hours per day is exacted from them; and they turn out very late in the morning, consequently have to stay out later in the afternoon.

To what cause or causes do you attribute their discontent, and the indifferent success of the new system?—Speaking of our neighbourhood, I should say its first cause appeared to arise from the want of one uniform system of labour having been adopted throughout the parish or district; some persons having adopted the eight hours' work, others the nine hours' work per day; some giving every other Friday, others every half Friday; and others again having been obliged, from the crops coming in, to suspend giving any portion of the Fridays until the coffee is gathered in, causing thereby a suspicion that they are deprived of their legal time; the shells blowing to turn out and to turn in at so many different periods morning and evening. This might, I think, be remedied by the passing an Act compulsory on coffee plantations, to commence field labour throughout the year at sunrise, and turn in at four o'clock; this would give an average of nine hours' work daily between the longest and shortest day. But its chief and principal cause was soon made manifest, after a little experience, to be the total inadequacy of carrying into effect the provisions of the new Act, by the limited means as yet only provided for this purpose; for praiseworthy as have been the exertions of the special magistrate (Lieutenant Colebrook) of our parish, ever since his functions commenced, it has been found (even with the assistance of another very intelligent and active gentleman appointed lately in the Mile Gully district with a special commission) to be utterly impossible in so extended and mountainous a parish, with bad roads and continued rains at times, for these two gentlemen alone, even with all their acknowledged indefatigable exertions, to visit the different properties, or to answer the various calls that are made daily upon them. The system requires more power to put it into operation, and I conceive it will require not less than six special Justices in Manchester for this purpose; there being three districts therein, viz. Carpenter's Mountains, May Day and Mile Gully.

Do you consider that there has been any unwillingness on the part of the masters or managers of properties to enter fairly upon the new system?—No, quite the reverse; in our parish the new system was put into operation on some properties, previous to its legal commencement, and on its commencement I can confidently assert that every one seemed determined to render all their assistance to give it a fair trial, and carry it through if possible.

Do you know of the proprietors or managers of properties having directly or indirectly thrown any obstacles in the way of the special magistrates in the due performance of their duties?—Certainly not; I speak of our parish, where the two gentlemen acting as such there, have ever been too much respected to have experienced any such obstacles. On the contrary, I feel assured they will acknowledge they have ever received all the assistance and facilities possible to render their duties as little irksome and disagreeable as their cases would admit of since their residence there.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour during the limited time required by law?—I do not think they are generally.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—No, they do not; they appear sulky and dissatisfied, and without any cause or reason upon the most frivolous pretences desert their work, and leaving the special magistrates of their own parish within a mile or two of them, travel 15 or 20 miles to the adjoining parish of St. Elizabeth, under pretence of making complaints, but in reality to enjoy so many days of idleness, to the detriment and injury of their masters' interest. This is a crying evil that requires a remedy at once.

EXTRACTS from the Examination, upon Oath, of *Thomas M^c^Cornock*, Esq.; Tuesday, 11 November 1834.

How long have you resided in this island?—Within three months of 30 years.

Have you had the charge of many negroes, and in what situation?—Yes, both as overseer of a large estate for many years, and also as attorney for several properties in St. Thomas-in-the-East, and have now upwards of 2,600 apprentices under my charge.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st August?—Not at all.

What do you think is the cause of their not doing so?—From the law being very defective in many important points, from the entirely inadequate number of special magistrates; also from the proprietors and managers being deprived of all kind of control; in consequence of which a large proportion of the apprentices treat with indifference and even contempt those to whom they formerly looked up with the most kindly feelings and respect. Many of the apprentices enjoyed such great advantages as slaves that the new system does not make that difference in their condition which they were led to expect. From these causes many of them are extremely discontented, and adopt every means in their power to evade working during the very limited period required by law; turbulence and insubordination have

have often followed the efforts made by the special Justices to enforce the law. Being secure of support from their masters during the apprenticeship, they are relieved from every necessity of being industrious, and therefore many of them will not be induced to labour for hire, however injurious this may be to the properties on which they reside.

Do you believe there is any organized system in operation throughout the island, or secret agency to persuade the negroes not to work, and not to bind their children that are free apprentices?—I have no doubt whatever, from all I have seen, but there is such a system and secret agency.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—I have known instances of the apprentices refusing very liberal terms in their own time. I have offered to continue all their allowances and every thing else as formerly, which far exceed what the law directs; to support, clothe and pay for medical attendance, with free children the same as when they were slaves, and also to pay 10*d.* for every six hours of their own time, so as to enable me to keep the mill about 18 hours out of the 24, and they rejected my offer.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—Since the 1st of August the field labour performed has been, I think, nearly one-third less than formerly on many estates. They have not yet been making sugar in the district where I reside. I fear a great falling off in the labour at the works, and anticipate the greatest difficulty in taking off the ensuing crop, unless some enactment is made to compel the people to work for fair remuneration in a part of their own time, as no sugar crops can possibly be taken off with 45 hours' labour in the week.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—The apprentices have asked much more than fair remuneration for working any part of their own time; indeed more than the proprietors can afford to give out of the proceeds of the estates.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—The time the apprentices have by law is so much more than they require for cultivating their grounds, that a considerable proportion of it is spent in idleness and going about the country.

State to the Committee your opinion generally as regards the working of the new system?—Unless considerable amendments are made in the law, and the number of special Justices greatly increase, I consider the new system cannot work, and the cultivation of sugar must almost entirely cease, for many proprietors will find it a less evil to abandon their estates than to continue their cultivation with the prospect of certain ruin to themselves.

Do the special magistrates attend upon estates, as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—The special Justices *cannot* attend the estates so often as the law directs, for their districts are too large; but it will be much better that there should be a sufficient number, so that they could attend the estates regularly; for holding special courts, as is now often done, must be very injurious to the estates in the time lost by the different parties travelling a distance to attend such courts.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—From what has been experienced since the 1st of August, I am of opinion they will not generally engage in agricultural pursuits after their apprenticeship ceases, so as to keep up the regular cultivation of the estates, and that continued work that is necessary in the manufacture of sugar, unless some strong laws can be enacted to prevent vagrancy and secure industry among all classes of the population.

What do you consider a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—I think 1*s.* currency a sufficient remuneration for one day's labour of nine hours in the field, and 10*d.* for each six hours' labour at the works, in addition to all the allowances and privileges granted to them when they were slaves, which in most cases generally exceed what the law ever required. As the law does not provide for watching the works, &c. neither does it for watching the negro provision grounds. I consider it a mutual advantage that both should be protected as hitherto, and that no money should be paid for watching the works, &c., as few proprietors can afford it; and besides all industrious apprentices have the means of cultivating provisions, and selling them for money, often to a great extent; whereas the law, strictly speaking, only entitles them to a sufficiency of provisions for the support of themselves and families. On the estate I reside upon, the apprentices often sell 50 or 60 pounds worth of provisions in one day, which are carried to the wharf by the estates' wains, and sold to the boats from Kingston. All they have to pay out of the money they receive is, the day's hire to the wain-men.

State the particulars of the disturbance that lately took place in Golden Grove estate?—The special Justice was explaining to the apprentices the propriety and justice of their agreeing to the fair and liberal terms I have offered, which they would not do. He then, as I am told (for I was not present, being in bed with fever), told them that if they would not work

work longer than the law directed, they could be made to work that limited number of hours during any part of the 24; on which they raised a great noise, and after repeated orders to be quiet without effect, the Justice ordered a woman who was most noisy to be put into confinement; on which the people declared they would all go in the dark room, and followed her towards the place of confinement; when near it, they rescued her, and took her away; when they came to the gate near the house they gave three cheers in triumph. That setting the magistrates and the law at defiance, he deemed it his duty to send for some of the police, and as there were only 13 of them, he deemed it necessary to bring a few soldiers, say seven, so as to make a formidable appearance, and prevent further misconduct. Next morning the whole of the people were drawn up by the Justice, and the ringleaders punished; viz. nine men flogged, and two of them, with six women, sent to the house of correction.

In what manner do you arrange your working hours?—They work 45 hours in the week, being 4½ hours of their own time, on condition of getting all the allowances and indulgences both to themselves and their free children, in the same way as when they were slaves.

And you did not endeavour to introduce the system of eight hours for four days, and eight hours and a half for the fifth day?—No.

What did your apprentices ask for by way of wages?—They did not name any sum, but said they would not work at night; they had said they would keep the mill about from four to eight, but on the day they cut canes they declared they would stop the mill at sunset. After a good deal of talking, they did keep it about until eight o'clock, but did not put it about again next morning until five o'clock. I left home next day, and do not know what they have done since.

EXTRACTS from the Examination, upon Oath, of *John Pine*, Esq.; Thursday, 13 November 1834.

How long have you resided in this island?—Nearly 23 years.

In what capacity?—The last six years I have resided on my own properties in St. Andrew's: the former 16 years I was engaged in an extensive medical practice, embracing nearly the whole of the estates in St. Thomas-in-the-East, and part of the parish of St. David's, in conjunction with the various partners in the following succession; Dr. Adam Paul, Richard Dick, N. W. Poole, William Forsyth Grant, George Jackson, Andrew Cooke, William Pine, Dennis Fitz-Gibbon, J. G. Devaney, and William Bell.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st August?—On many estates they are; on others, not.

What proportion of labour is now obtained in comparison to that formerly given?—I do not consider the work of the estates thrown materially back. We, of course, lose one-sixth of the time in the entire day given in lieu of Sunday; but during the nine hours, I think fully as much work is done as under the bygone system; and in this opinion I am borne out by neighbours.

Do the apprentices attend to their grounds, and otherwise employ their time to advantage?—They work too much land. In my neighbourhood, it is too profitable an employment; and as long as they have indiscriminate access to any quantity of good land, they never can be expected to work generally for wages.

To what do you attribute the passive resistance and disinclination to work on many estates?—To human nature: The schoolboy will play when the master is away.

Are you of opinion that the crop can be taken off under the present apprenticeship law?—My opinion is, that if Clause be more distinctly defined, so as to give the master or manager power to exact 45 hours weekly, as best suits the season and the estate's locality, confining the hours of work to four A. M. and 10 P. M., and not expecting more than nine hours' compulsory labour consecutively from one individual, that it may.

How would you divide the hours of labour during crop?—I think the nine hours ample time in the short days to cut the canes and bring them to the mill, which should be persevered in for five days in dry weather, now and then paying them off on Friday, when the estate's means will afford it, in showery weather, or give them wages. I consider in the dry sea-shore parishes, 15 hours ample time for the mill and coppers to be at work. I would recommend putting about at six A. M. and stopping at nine P. M.; paying those spell hands that work the extra hours half a day's hire; selecting only your willing and best people to be on this extra pay list; and to be struck off and wear a badge of disgrace for any improper conduct. That estates with more limited means, having a deficiency of water, or with cattle mills, keep about 18 hours, and pay the spell hands for one day's work. Here they may be divided into two spells, each receiving half a day's wages. I believe the free black, brown and white, may be hired to assist in the manufacture of the crop. Many of the free people have not the means at present of finding employment; this might be tried in preference to any appendix to the present Abolition Law, for the purpose of exacting more coercive labour from the apprentices.

Do the special magistrates attend upon estates, as the law directs; and do you not consider that if the parishes were divided into districts, and the special magistrates compelled to take their rounds, as the law directs, that it would answer a better purpose than holding their special courts, as at present?—I think two special magistrates to assist the stipendiaries in the small parishes, and three or four in the larger parishes, would enable them to comply with the law of visiting every estate (if necessary) within 14 days, having upwards of 40 apprentices; and would prevent the constables, prisoners and complainants travelling

travelling about to the respective courts, and losing labour, and otherwise occasioning much inconvenience in the collection and detention of witnesses.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour, when the period of their apprenticeship shall have expired?—As this is a probationary law, we must never lose sight of its ulterior object. It is necessary to commence immediately on all properties, and prevent the apprentices working too much land, unless they pay a high rent for the same. This will ultimately promote their own happiness; the industrious man will give a portion of his time for wages, to enable him to raise the requisite money to pay for that which he will prize of the highest value, viz. the comforts of home, when he returns from the landlord's field; the indolent will only earn a sufficiency of wages to keep him from starving; for few under the free system will trust any but ostensibly good characters with the occupancy of land.

What do you think a fair remuneration to the apprentice for his extra labour?—At present I consider 2*s.* 1*d.* for head people, 1*s.* 8*d.* for able labourers, 1*s.* 3*d.* for common labourers, and 10*d.* for such as are generally in the inferior gang; this rate of wages may decline towards the end of the apprenticeship term, but not much. If land-owners will not allow any of their property to be occupied without first bringing a testimony of good character; and 2dly, paying the rent weekly, either in coin or labour; the valuable negro will not allow himself to be removed, but will consider it the highest disgrace to be discharged from his master's domain, and the abode of his family and ancestors for upwards of a century back.

In answer to the sixth question, you state the apprentices work too much land in your neighbourhood; do you not attribute this to the proximity of the land to the military garrison at Stoney Hill, the camp, and Kingston market, where they meet a ready sale?—There is generally a ready sale, and the markets are contiguous; the land is also well adapted for the cultivation of provisions, and the seasons can always be depended on.

EXTRACTS from the Examination of *Matthew Farquharson*, Esq.

Thursday, 13 November 1834.

How long have you resided in this island?—I am a native, and have resided for upwards of 23 years, since my return from school, with the exception of two short absences from the island.

Have you had the charge of many negroes, and in what situation?—I have had the charge of about 300 negroes for upwards of nine years, as owner and as executor and agent, and of about 650 negroes for three years as Mr. Wildman's attorney; also about 170 negroes as attorney to Mr. Stothert in Trelawney. The latter I have only had the management of since August last.

Are the apprentices now working, as far as your observation has gone, as cheerfully, and as well as they did previous to the 1st August?—I observe no alteration in the work of the people under my charge since 1st August, and the overseers report most favourably. The new system has made very little alteration with me in the estates of Mr. Wildman, as I have been in the habit of giving every Saturday in and out of the crop since I took charge. With Spring Vale negroes, I allowed only half every other Saturday, besides their own day, the property being much involved, and the negroes' grounds very new. I have not required any negroes to bind their children as free apprentices.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—The only instance of refusal was at Salt Savanna estate. In Vere, where I offered to allow 1*s.* 8*d.* for the two half Fridays, the negroes did not consider it sufficient. This was about the beginning of September; I have not been there since. The negroes at Papine are digging cane-holes at 2*s.* 6*d.* per day. The overseer writes me, they have dug 130 holes a day at that rate. On Dundee estate, in Trelawney, the people in a body solicited the overseer to request me to allow them to work 10 hours a day, and to hire them on Friday, to which I acceded, and allowed them 2*s.* 1*d.* per day, they working 9½ hours: the half hour to make up the half hour lost in the four days. I have also agreed to give them 5*d.* for every two hours extra time during crop with my own negroes. At Spring Vale I have been hiring them at 1*s.* 8*d.* per day. On Dundee, in Trelawney, I have agreed to allow them 2*s.* 6*d.* for every 100 cane-holes; if they dig upwards of 90 a day in the four days, they will be paid for the overplus at the same rate. All this they have agreed to. The reason I stated 90 holes a day was, because they work 10 hours a day.

Are you aware whether the plough was used previously on the piece where the 130 holes have been dug?—I cannot say, as the overseer does not mention; but I should think so, as we use the plough.

When called upon to work for wages, do not the apprentices require a larger sum in return, than any produce of the country can bear, leaving a fair return to the landholder?—I do not consider the wages agreed upon with the people under my charge exorbitant.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burthen to their masters?—The apprentices attend to their grounds, as well as they did before the 1st of August.

JAMAICA.

State to the Committee your opinion generally as regards the working of the new system?—So far as I am concerned, the new system is working well.

Do the special magistrates attend upon estates, as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—It is impossible that the special magistrates, from the few in number to each parish, can comply with the law. My opinion is, that where punishment is necessary, it would have a more salutary effect, if inflicted on the estate.

Do you imagine the apprentices will continue to work in crop, as well as you represent them to be working now?—I certainly do, speaking of those under my charge.

You say that your apprentices hire themselves for money wages, did you find any difficulty in inducing them to do so?—Not the least; it was at their own request.

EXTRACTS from the Examination of *Thomas Mason*, Esq.; Saturday, 16 November 1834.

How long have you resided in this island?—Nearly 20 years.

Have you had the charge of many negroes, and in what situation?—I have upwards of 100 of my own, and nearly 300 on properties of absentees, of which I am the attorney.

Are the apprentices now working, as far as your observation has gone, as cheerfully as they did previous to the 1st of August?—Certainly not; and I do not consider that they are doing but a little more than half the work they did before the 1st of August.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts and render them not liable to become a burden to their masters?—I do not consider, as far as my observations have gone, that the apprentices have increased in industry; but, on the contrary, they appear to be idling away the greater portion of their extra time.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—I think 2*s.* 6*d.* for tradesmen, 1*s.* 8*d.* for able field labourers, and 10*d.* for the weaker people, is a fair hire for each day of nine hours.

EXTRACTS from the Examination of *Thomas Learny*, Esq.; Tuesday, 18 November 1834.

How long have you resided in this island?—About 10 years.

Have you had the charge of many negroes, and in what situation?—As overseer of Kildare estate, in the parish of St. George's, for nearly five years, I had charge of about 300, and in my present situation, as overseer of Gibraltar estate, in the same parish, I have for about three years had charge of upwards of 400.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st day of August?—Certainly not.

Do you think there is any organized system in operation, in the neighbourhood where you reside, a secret agency to persuade the negroes not to work, and not to bind their children that are free apprentices?—I certainly do; I see plainly that it is the wish of the apprentices to allow the properties to which they are attached to go to ruin as fast as possible, thinking that they would get their freedom the sooner by their master not being able to support them.

Have you known, in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they declined to accede to such proposition; if so, to what cause do you attribute it?—I have been directed by Mr. Davis, my employer, to offer the same allowances as before to them, if they consented to work the four hours and a half extra weekly. On a calculation, I find it would be about 500*l.* sterling per annum, and which would be paying all those that would work at the rate of 5*s.* for their half day, or four hours and a half.

What proportion of labour is now obtained in comparison to that formerly given, according to your opinion?—About one half.

Do the apprentices attend to their grounds and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burden to their masters?—Not generally since 1st August.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I certainly am not.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour, the mechanic for piece-work?—I consider 2*d.* for the field labourer per hour, and good tradesmen 3*d.*

Do you imagine the apprentices will work extra time for you in crop?—I find the apprentices will not work an extra moment for me during crop. I have offered boiler-men 5*s.* for their shell blow during the five days, but they scornfully refused it.

What proportion of sugar is now made on the estates under your charge, to what was made previous to the 1st of August?—Previous to the 1st of August I made 24 hogsheads weekly, and can only make 10 hogsheads under the present system.

Has any particular case of insubordination occurred on Gibraltar estate since 1st August; if yea, relate the particulars?—Yes, there has. Since the 1st August I had no occasion to put about the mill until the 19th October, and previous to my cutting canes; I told them that my directions from Mr. Davis were to divide them into two spells, the first to commence at 4 in the morning and to work until 12, when the second spell would relieve them and work until

8 P. M.

8 P.M., making only 8 hours instead of 9, as they were then working; they all said they would not work a moment before sun-rise or after sun-set for any body, they were as well aware of the law as I was myself. I then told them that I would send for Mr. White, the special magistrate; their answer was, that Mr. White could do nothing with them. For Stewart's people, who were so long absent, and therefore cared nothing about him. Mr. White arrived, and had them all called before him, but instead of hearing what he was saying, they all set up a war-cry, and run away in all directions. The following night the works were discovered on fire about nine o'clock; the book-keepers and police who were then stationed on the estate, by the directions of Mr. White, immediately repaired to the spot, and on finding that the flames could not be extinguished, I blew shell, but not a negro belonging to the estate came to our assistance, except the house people. Some from the adjoining estate, George's Inn, came, and some also from the Bay, and by a great deal of difficulty succeeded in extinguishing the fire. The police were then stationed about the works, and about three o'clock in the morning the fire was discovered in a different part of the works; the police fired at a negro-man coming from the quarter, but who escaped, and the alarm was again given of fire, which caused me to blow shell the second time, but not one of the estate's people ever then came. The following morning I had not one at work, although the mill about and canes cut to make upwards of six hogsheads of sugar, which I lost before they returned at the expiration of seven days, in consequence of which I had to stop the mill until this week, and am happy to say that from the very salutary examples made by Mr. White of insubordination of them, that they are now working well, and likely to continue on the same terms on which I first proposed to them, viz. the two eight hours spells.

EXTRACTS from the Examination of *Stephen Hannaford*, Esquire.

How long have you been in the island?—Nearly 18 years.

Are you concerned in the management of negroes, and if so, state the case generally?—I have been concerned in the management of negroes the whole of my Jamaica life, and during this period in almost all the varied departments connected with a planter.

From the experience you have had of the new system of labour, established under the Abolition Act, how has it succeeded?—Speaking generally, it would, I think, be difficult to devise a more ruinous system than the present. There have been, however, instances where the apprentices under my immediate charge have done a fair proportion of work in the day, but these have always been immediately after some of their body have been punished for neglect of duty.

Are the apprentices now performing what you consider to be a fair and reasonable portion of labour, during the limited time required by law?—No; the average of work since the 1st of August, has not been two-thirds even during the limited hours of labour, as required by law.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—They are, with very few exceptions, sullen, obstinate, and very insubordinate.

EXTRACTS from the Examination of *John Davy*, Esq.; Tuesday, 18 November 1834.

ARE you concerned in the management of property and apprentices, and to what extent?—Yes, with between 1,700 and 1,800 negroes.

How is the apprenticeship system working in Manchester?—Not favourably.

From what cause?—The principal cause, I think, is insufficiency in the number of special magistrates. For some weeks after the 1st of August, the apprentices performed their duties cheerfully and well, and appeared perfectly satisfied with the new arrangements; a great change was then observable. This, in my opinion, mainly arose from the absence of the magistrate, and the consequent impression that punishment would not follow neglect of duty and crime. Since the appointment of a second magistrate, the quantity of labour performed has increased, and the people attached to properties, which are regularly visited, are now becoming more cheerful and contented.

Do you know of any instances of children, under six, having been apprenticed according to law, or do you know of any proposition having been made with a view to the care of those children, in lieu of such apprenticeship?—I know of no instance of children having been apprenticed according to law. On the plantations under my charge, with one exception, the people have agreed to pay a certain sum per annum in labour, or otherwise, for permission to work grounds on the plantations, and in payment of the medical attendance and medicine for their free children, during the time of their apprenticeship.

EXTRACTS from the Examination of the Rev. *Samuel H. Stewart*, A.M. Stipendiary Minister of the Parish of Manchester; November 1834.

YOU have had occasion to notice the working of the apprenticeship system; and what is your opinion of it?—In the district in which I live, it has not had a fair trial yet. There was no special magistrate there for two months, after the 1st of August and during September; the complaint was universal, that the negroes acted as if freed from all control. Since then a magistrate has been appointed, and judging from the reports of those who have the management of properties, and my own observations, I think the system may be made to work by regular visiting of the special magistrate, and a mild but firm determination of the law.

JAMAICA.

Have you, either as a clergyman or a magistrate, found any opposition, on the part of the proprietors, to the law being fully carried into effect?—I have always seen the greatest anxiety evinced, both by words and actions, to give the law its fullest operation in the spirit as well as the letter of the enactments, which confer privileges on the negroes.

Have the negroes shown a willingness to have their children apprenticed under the 18th clause of the Abolition Act, or otherwise?—I have been particularly struck by the universal disinclination they evince, even to speak upon the subject, particularly as when the thing was first spoken of, many seemed pleased with it.

EXTRACTS from the Examination of the Hon. *William Miller*; November 1834.

How long have you resided in this island?—Thirty-five years.

Have you had the charge of many negroes, and in what situation?—I had charge, on the 1st of August last, as attorney for absentees, jointly and otherwise, of 48 estates and other properties, on which there were about 10,000 negroes.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—No, they are not. Negroes are not disposed to apprentice their children, and I am satisfied that no man who knows the negro character ever expected it.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—Little more than one half, generally.

Have you known, in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties, to compensate the apprentices for their extra time, that they have declined to accede to such proposition?—My agent, Mr. Stewart, offered wages to keep the mill about, to the apprentices on several estates in St. Mary, which they agreed to take; but as soon as they cut canes they refused to abide by their agreement. I received a letter last week from the same gentleman, stating that he had persuaded the apprentices on one of the estates to accept of wages, and to give nine hours of their own time for 1*s.* 3*d.*

Do you know other instances in corroboration of that you mention; and if so, please to state where they occurred, and in what manner?—About a month ago, I visited a large estate in my concern, where the mill was about. The apprentices commenced work a little after six in the morning, and leave off at six in the evening. They insist on taking three hours for breakfast and dinner. I served them with their annual allowances of cloth, and we were on the best terms. I was pointing out to them the propriety of giving their children, under six years of age, some education, and to employ a doctor to attend them when sick; and to enable them to do so, I told them I had instructed the overseer to pay for any extra hours they might work either by day or night, and that I was sorry to find that none of them had done so. After a very few words between themselves, they stated, most decidedly, that they would not work beyond the hours laid down by law. One of the women observed, they were not the only people who were determined to do so.

Do you consider that the apprentices continue to attend to the cultivation of provisions?—I believe so; I never knew provisions more plentiful than this year. The apprentices often carry more to market than they can dispose of, and those provisions must have been cultivated during the old system.

What is your opinion of the working of the new system?—I consider the new system to be working badly; and unless there are a sufficient number of local magistrates in each parish appointed with equal authority to assist the specials, the former being well acquainted with the cultivation of the different products of the country, and equally so with the peculiarity of the negro character, they would greatly assist the special magistrates in guiding them to a decision. How is it possible for a set of men (such as the special magistrates really are) to carry this great object into successful operation? They are utterly unacquainted with the customs and feelings of the apprentices, utterly unacquainted with the portion of labour they are capable of performing, quite ignorant of the different mode of cultivating the soil, and equally so of our laws. It is, in my opinion, impossible that the new system can be successfully carried on under such defective means; and I firmly believe the disorganization of the Colony will soon take place, unless some measures are adopted to enable the enactments to be firmly, promptly and impartially administered, and unless it is made compulsory on the apprentices to perform some portion of night-work for wages during crop, the cultivation of sugar must be abandoned. If crops are reduced one-third, I think they may be manufactured with 18 hours of five days' labour.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts as at present they now do?—It is impossible for the present number of magistrates to do so; if the parishes were divided into districts and the properties visited according to law, it would certainly answer a much better purpose than holding courts.

What do you think a fair remuneration to the apprentice for his extra labour, the field labourer for his day labour, the mechanic for piece-work?—One shilling and eight-pence for able field labourers during the day of nine hours; 2*s.* 1*d.* for ditto during night (nine hours); 10*d.* for second gang during the day; 1*s.* 3*d.* for ditto during the night; 2*s.* 6*d.* good tradesmen.

Have you known in any instance where a fair and equitable arrangement has been proposed

posed by persons in charge of properties to compensate the apprentices for their own time that they have declined to such propositions; if so, to what cause do you attribute it?—I have only asked the apprentices to work for wages on a few estates that were making sugar; and for this reason, I could not obtain from them the 40½ hours labour allowed by law; until I could accomplish that I did not consider it prudent to ask them to work for wages; nor do I think a fair portion of labour can be obtained by mild measures. To support this opinion, and in order to show my own anxiety for the working of the new system, I beg to put in the letter I hold in my hand marked (A.) It is the copy of a circular that I addressed to each of my overseers on the 26th July last.

(A.)

"Sir, July 26, 1834.

"The change which is about to take place in the condition of the labouring population, will render the greatest circumspection in your own conduct necessary. You should always bear in mind that they will then be free, and not only subject to the enactments of the Abolition Law, but entitled to the privileges of the British Law the same as yourself. Should they commit faults, which from their unacquaintance with the new law may be expected, before you attempt to have them corrected, be first convinced that they have proceeded from wilfulness, and not from misapprehension.

"I should consider it highly creditable to you to bring the new system into successful operation without an appeal to the special magistrates. A complaint from the apprentices against you, in which you were found guilty, would give me great concern, and you would incur my most serious displeasure. Continue all allowances the same as heretofore. Should I deem any alteration in this respect necessary, it can be done at the time I serve the apprentices with their annual supply of clothing. I think it not improbable that some difficulty may be experienced in obtaining watchmen. Should this be the case, and you cannot arrange it otherwise, you may pay them at a rate not exceeding 1 *s.* 3 *d.* per night.

"I am, &c."

Have the apprentices shown a disposition to be insolent to the white people employed on estates?—They have shown a great inclination to be so on most properties in my concern.

Have there been any instances of insubordination on the part of the apprentices upon the properties you are concerned for?—I consider they have been frequently guilty of acts of insubordination in the non-performance of labour during the 40½ hours allowed by law.

Do the apprentices in your concern work at the rate of nine hours daily during 4½ days' labour required from them?—In most places I do not think they work more than eight.

Have you stopped any of the former allowances that the apprentices were accustomed to receive?—I have not stopped a single allowance that they were ever accustomed to receive.

How many special magistrates do you consider are required in Trelawny to visit each property once in 14 days, according to the Abolition Law?—To visit all the properties once in 14 days it would require six; but if every special magistrate was to administer the law as it now stands, in the same manner as Mr. Farrer has done, three would be sufficient.

Extracts from the Examination of *Alexander C. Logan*, Esquire; Saturday, 21 November 1834.

How long have you resided in this island?—I have resided here 12 years.

Have you had the charge of many negroes, and in what capacity?—As overseer and attorney I have had the charge of a large property for many years in the parish of Manchester, on which there are 464 negroes. I have also charge of a small property on which there are 59 negroes.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the first of August?—They are not.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time that they have declined to accede to such a proposition?—I never offered to make any arrangements with those under my charge to work during their own time for hire; but I stated to them that I expected they would labour beyond what the law compelled them to do, in return to their master for the support of the free children who would have medical attendance and other allowances as formerly. Instead of doing it, they were extremely jealous that I should take a minute of their time, though they bring their free children as before to the hospital. There are 71 free children on the property where I reside. They also refuse to apprentice them.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce in the country can bear, leaving a fair return to the land owner?—From conversations I have had with some of them I know they expect a rate of hire which no produce of the country can bear. I know several persons who offered to give 1 *s.* 8 *d.* per day, which they refused.

What do you consider the best means to be adopted to remedy the defects of the new system, and if not remedied, what is your opinion of the result?—I think that instead of the allowances formerly given to the negroes being continued, that daily hire should be substituted, and that he will find the more he works the greater will be his gain, and that he suffers when he does not work. If they are not made to do this before 1840, it will then be too late.

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late. Under the present system they are allowed so much time and other indulgences on the properties, that they will become more idle and irregular in their habits. More magistrates ought to be appointed.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not think they will labour regularly, unless compelled so to do.

EXTRACTS from the Examination of *Frederick M. French*, Esq.; Saturday, 22 November 1834.

How long have you resided in this island?—Between nine and ten years.

Have you had the charge of many negroes, and in what situation?—As overseer of Green Valley, in Port Royal, I have had the charge of 195 negroes belonging to the property, and at various times jobbing gangs from different properties.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—Most unquestionably not. While slaves, the were contented and industrious, and, in this neighbourhood, remarkable for their good conduct; but now, with the same allowances as formerly, and additional time allowed them by law, they are lazy, insubordinate and extremely insolent; the most civil question put to any of them is invariably answered impertinently, and generally accompanied with a threat that they will go to the magistrate, who they say is the person who is to manage them.

Have you known in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their extra time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—Yes; I have been myself in the habit of hiring the people on their own days, and paying fair wages, also paying them 10*d.* for every bushel of coffee picked over three, by which means the able hands earned from 5*s.* to 7*s.* 6*d.*, and some of them 10*s.* 10*d.* a week, and for which they felt gratified. This year there is near double the quantity of coffee on the trees, and considerably riper than at the same period last year. I have several times begged them to pick coffee in their own time, on the above terms, but could not get one to do so this year, nor to pick near the quantity for the property that they ought to do.

What do you think a fair remuneration for the apprentice for his extra labour, the field labourer for his day labour, the mechanic for piece-work?—One shilling and eight-pence per day for field labourers; 2*s.* 2*d.* for mechanics, or on coffee properties 6*d.* per barrel for coffee, when the climate is such that the fruit ripens between October and March.

EXTRACTS from Examination of Doctor *James Maxwell*; Monday, 24 November 1834.

How long have you resided in this island?—Between 18 and 19 years.

Have you had the charge of many negroes, and in what situation?—I have had charge, as a medical practitioner, of several thousand negroes ever since I came to this island, and have about 60 apprentices under my charge as proprietor of a coffee plantation.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st August?—By no means.

Do you believe there is any organized system in operation throughout the island, or secret agency, to persuade the negroes not to work, and not to bind their children that are free apprentices?—I have no positive evidence to adduce in support of this question; but I am morally certain that an extensive and determined combination has been organized amongst the apprentices, throughout the minutest ramifications of their society, by a more enlightened agency than they are capable of exerting, to act passively by performing no commensurate work within legal hours, and withholding that extra labour which they could bestow with incalculable advantage for wages. By thus giving the least possible quantity of labour with the greatest trouble, they think that their apprenticeship must necessarily and inevitably be dissolved, as their master will never be able to withstand the *vis inertiæ* at present operating so ruinously, and consequently that the system must soon be broken up, and they will be absolved from all restraint.

Have you known in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they declined to accede to such proposition?—Upon most of the properties where I practice, arrangements have been submitted peculiarly favourable to the apprentices, but with only partial success. They have very generally refused to accept of their several extra allowances, such as herrings, rice, flour, sugar, medical attendance, and support of their free children, in return for the 4½ additional hours in the week, although, to my certain knowledge, they are now suffering from these privations; and that it must be apparent to every one, that without honest industry increase, so as to enable them to purchase or give an equivalent in labour for necessaries essential to animal existence, that lamentable occurrences must soon take place by great mortality and acts of daring insubordination. The food that the negroes in agricultural districts have voluntarily placed themselves upon, without a particle of salt in it, is incompatible with the long continuance of good health; and this is another proof of a secret agency existing, holding out hopes that the system will soon terminate. That they are already suffering from their masters' stores being shut, and their own limited resources being exhausted, the following circumstances will show:—On Gray's Inn estate, where they positively refused to take the usual most liberal allowances for only 4½ hours extra per week, the refuse of a barrel of herrings was emptied into the

Dunder

Dunder gutter. They came and gathered up the salt, washed it from its filth, and used it with their ground provisions. My own people refused allowances for the 4½ additional hours weekly, and had recourse to the same process for procuring salt, which, as slaves, they would have despised to do. I further offered them 1*s.* 8*d.* per day to do light work in their own time, which they positively rejected; and when pressed for the reasons for so doing, was answered by an old African, that before he would work for less than half a dollar a day, he would lie down and sleep. About this time last year, my people came and solicited me to allow them to pick coffee in their own time; this year I have not only asked, but have entreated them to do so, as my coffee would drop: they replied, that there was not a sufficiency of it ripe to make a day's wages. To obviate this evasion, I then offered to give them 1*s.* 8*d.* per day; but they rejected the offer.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—Little better than one half.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce in the country can bear, leaving a fair return to the landholder?—The answer to this question is given above.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burthen to their masters?—Their grounds are more generally neglected now than heretofore, and especially with my own people.

Has the conduct of the stipendiary magistrates, as far as may come under your observation, been such as to enforce obedience to the laws and to check acts of insubordination?—The regular visitation of the magistrates who will dispense justice impartially between master and apprentice would prevent a great loss of labour under the present imperfect system, check crimes in the bad, and tend to restore a better feeling amongst our peasantry, when they found that Government was determined to make them labour during the incumbency of the apprenticeship term.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I think that they never will labour industriously and continuously so as to carry on the profitable cultivation of the staple commodities of the country, but that they will retire from the large estates into the interior, where they will be contented merely to satisfy their appetites and wants in a climate where the two grand incentives, hunger and cold, do not exist; and my reasons for thinking so are the following:—Previous to the 1st of August, I was anxious to give a stimulus to their industrious and intellectual energies, by establishing a field of coffee to be cultivated by them on halves during their own time, (namely, that they should receive half the produce,) and to furnish them gratuitously with a schoolmaster; but although the prospectus was founded on the most liberal principles, and convinced them that they might make from 10*s.* to 11*s.* a day when the coffee came into full bearing, and very good wages in the interior, from provisions, corn, peas, &c., they would not accept of the proposal. This circumstance disheartened me much.

EXTRACTS from the Examination of *Michael F. G. Lemasney*, Esq.;
Monday, 24 November 1834.

How long have you resided in this island?—Nearly eleven years.

Have you had the charge of many negroes, and in what situation?—As overseer of Pembroke-hall and Green Glebe for four years, and Kildare nearly four, being an average of 270 negroes.

Are the apprentices working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They do not, most certainly.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—About one-half.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—So far as my observation has gone, they require a much larger sum for their extra hours than the proprietors can possibly afford; they have not, on any estate in the parish in which I reside, given an adequate return.

State to the committee your opinion generally as regards the working of the new system?—My opinion is, that the present system will not answer if the laws are not more strictly and impartially administered; in very many instances they have put their managers at defiance. In Kildare estate, under my own management, and in a late occasion, they grossly abused the special Justice.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work even for emolument in their own time, that they will engage in regular agricultural labour when the period of their apprenticeship shall have expired?—I do not believe they will. I shall instance the Maroons and the poorer class of free people, who I am convinced cannot be had to perform manual labour, be the wages offered what they may.

What do you think a fair remuneration to the apprentices for the extra labour; the field labourer for his day-labour; the mechanic for piece-work?—I consider 1*s.* 3*d.* as much, if not more, than an apprentice is entitled to for his eight hours' labour; a good mechanic, 2*s.* 1*d.*

Do you imagine the apprentices will continue to work in crop as well as you represent them to be working now?—I do not think they will work at all, unless measures are adopted to oblige them to do so.

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What proportion of sugar is now made in a given time, with the same means that was usually made prior to the 1st of August, on Kildare estate?—Prior to the 1st of August 18 hogsheads have been made; since that period I have not exceeded eight per week.

Has not a particular case of general insubordination lately occurred upon Kildare estate, in St. George's, of which you are overseer; if yea, relate the circumstances?—Yes; having had directions from my employer, A. Davis, esq. to prepare a shipment of sugar, I put the mill to work on Monday the 19th, but with a perfect understanding with the people that they have, according to the opinions of the Attorney General and other barristers, to work the two spells of eight hours each at the works; on the following evening, they one and all positively refused to do so. On my reasoning on the impropriety of their conduct, and telling them that I should be under the necessity of sending for the special magistrate, who was then attending a committee of this honourable House, should they persist; they still continued to work only as the others in the field until Thursday, when, finding the crop of the estate would be sacrificed, I was obliged to stop the mill, to the very great injury of the estate. Mr. White having arrived on Thursday the 17th, explained to them fully the law on the subject; and he also read them the directions of the Governor to himself, ordering that they who were engaged in the manufacture of the produce, should be compelled to work the daily eight hours in two spells, from four in the morning till twelve, and from twelve till eight. Their conduct upon this to the special Justice was the most insulting I ever witnessed; so much so, that he was under the absolute necessity of punishing six of the ring-leaders. I am now of opinion, from the very salutary and firm conduct of Mr. White on the occasion, I shall find them on my return more obedient to my orders, and more attentive to their duties.

EXTRACTS from the Examination of *Samuel Barrett Moulton Barrett*, Esq.; November 1834.

How long have you resided in this island?—Upwards of seven years.

Have you had the charge of many negroes, and in what situation?—I have had the charge of upwards of 1,100 negroes; 387 of this number as attorney to my brother, the remainder as proprietor.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st August?—Such portion of the apprentices as are upon my two sugar properties, Cinnamon-hill and Cornwall estates, have neither worked so cheerfully or so well as they did previous to the 1st August; but the remaining part of the apprentices quite as well and as cheerfully.

What do you think is the cause of their not doing so?—As my conduct to my people continued the same in every respect after the 1st as before the 1st August, I cannot charge myself as in any way causing the difference of which I complain. I cannot speak positively as to any particular reason; but one I should think to have been, that the strong stimulus to exertion, viz. punishment, which, under certain restrictions was inflicted on the authority of the master, was now done away with; and there was nothing substituted in the shape of remuneration for labour which would call forth any extrordinary exertion. I beg leave, however, to state, that my complaint against my apprentices applies only to a period of about two or three weeks, and that both before and since they turned out well and worked well.

Do you think there is any organized system in operation throughout the island, or secret agency to persuade the negroes not to work, and not to bind their children that are free apprentices?—My opinion is, that the period which has passed since the 1st of August is much too short to build a conjecture upon, whether parents will bind their free children or not.

Have you known in any instance, where a fair and equitable arrangement has been proposed by persons in charge of properties, to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—In one instance, I offered to my people in Cinnamon-hill to pay them a jobber's wages if they would clear a pasture in their own time; but my offer was declined. This occurred at the period I have before spoken of, when my people were not behaving well, and when they were so much in concert with each other, that I thought they were combined for a specific object. I know of no other instance where an equitable arrangement has been proposed and declined.

What proportion of labour is now obtained in comparison with that formerly given, according to your opinion?—As there is a reduction of the time of labour, there must of necessity be a proportionate reduction in the quantity of labour given. Beyond this I am not sensible of any material difference, even upon Cinnamon-hill; and certainly none whatever upon Oxford and Cambridge sugar estates and Retreat-pen.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—Upon Oxford and Cambridge estates the negroes are working in their own time, and at a rate that I think it profitable to the estates to pay them. Upon my own properties I have rarely called for any work beyond the law, and then obtained it at the rate proposed by myself, excepting in the instance I have before named.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burthen to their masters?—I never saw, since I came into this country, the negroes so industrious

trious in their own grounds as they are at present, by which their comforts are increased considerably, and they are become less burthensome to the estate.

State to the committee your opinion generally as regards the working of the new system?—The change produced by the new system has been one of so general and extraordinary a character, besides being so recent, that it would be very difficult, and somewhat premature, to come to any definitive opinion at the present moment. Upon my own properties, with certain exceptions, I should say the new system worked comparatively well; that is, not better than the old plan, but very much better than I expected. General report says that it does not work well elsewhere, but to who attributable, or owing to what particular causes, I cannot positively say.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts, as at present they now do?—The special magistrates are so few in number, that it is physically impossible for them to attend upon estates. If parishes were divided into districts and petit sessions, held at regular times and places, I am of opinion that it would be a preferable plan to paying visits on estates.

What do you think a fair remuneration to the apprentice for his extra labour; the field-labourer for his day-labour; the mechanic for his piece-work?—Upon Oxford and Cambridge estates I employ the negroes every other Friday; the first gang at the rate of four bits; second gang, two bits; and to the children's gang 5*d.* At these rates, I have been assured by others, who are more practical men than myself, it is for the interest of the properties to employ them, all extra allowances being withdrawn.

Do you imagine the apprentices will continue to work in crop as well as you represent them to be working now?—I have recently taken off about six acres of plants at Cinnamon-hill. I experienced no inconvenience from any want of disposition on the part of the apprentices to give more than the time marked by law, on receiving a remuneration for their dinner-hour and other time which belongs to them. I am inclined, therefore, to hope, that I shall experience no such extraordinary difficulties, but may be removed by common means.

Do you consider the forty and a half hours a sufficient time in the factory for making the usual crops; if not, state what time will be necessary to do so?—I consider that the nine hours allowed by law for the working of the apprentices quite insufficient for the making of sugar; I have, therefore, been obliged to make an arrangement with my apprentices to obtain their work during the hour of dinner, and for as much time after the usual hour of leaving off as, in my opinion, and in the opinion of my overseer, will enable me to take off the heavy crop which is upon the ground.

Have you made any arrangement with your apprentices for taking off the crop; and if so, what is the nature of that arrangement?—I have not entered into any specific arrangement with my people as to the taking off the crop on the ground; but I should consider that the plan which I recently adopted in taking off a small piece of plants, will be the plan we shall pursue when the crop begins. This arrangement was, that the boiler-men should spell each other at breakfast time; that the dinner-time of two hours, as likewise the extra time which might be required to boil off the sugar which was on hand, should be paid for at the rate of 2*s.* 6*d.* the nine hours. My overseer gives each apprentice who has been called upon for extra time a ticket, with the name of the person marked on it, and the extra time he has given. These tickets are, when brought up to me immediately paid, as they may be circulated for money upon the property.

What proportion of sugar is now made on the estates under your charge to what was made previous to the 1st of August?—The proportion of sugar made recently on my estates is not very disproportionate with the quantity made previous to the 1st of August. For reasons entirely referring to the great change which was about to take place, I anticipated the operation of the law, and began complying during the last crop with its provisions, so far as I knew them; viz. I gave generally alternate Fridays on both my properties, and every Saturday, with this indulgence, I never made large week's work. I never exceeded 15 hogsheads, generally only 12, which latter number I calculate I shall be enabled to make in the ensuing crop, with the arrangement with the negroes already spoken of.

EXTRACTS from the Examination, on Oath, of the Honourable *John Bell*, Custos of the Parish of St. George, Thursday; 25 November 1834.

How long have you resided on this island?—Upwards of 11 years, and reside on my own estate.

Have you had the charge of many negroes, and in what situation?—I have had the charge of upwards of 300 as owner, and manage them myself.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—For some time after the 1st of August they did not perform more than half the work which they formerly did; I then applied to the stipendiary magistrate, who ordered some of them to be punished and to make up the deficiency on Saturday. Since that, they have done as much work as formerly for the number of hours.

Have you made sugar since the 1st August, and if so, what quantity have you made in a given time and with the same means in comparison with what was usually made previously?—I have made upwards of 80 hogsheads of sugar since the 1st August, and have made 8 hogsheads

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hogsheads per week of only five days. But during a similar time before the 1st of August, I would have made 13 or 14 hogsheads.

Have you known, in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties to compensate the apprentices for their own time, that they have declined to accede to such proposition; if so, to what cause do you attribute it?—None of my apprentices have refused to work from day-light to dark about the works, for the sum of 1 *s.* 8 *d.* for 10 hours over their own time, without their former allowances of sugar, rum and herrings, &c.; and the boiler man, &c. work 18 hours out of the 24 at the same rate.

Do you not attribute the present good conduct of the apprentices on your estate to the prompt punishments inflicted?—In a great measure.

Do you conceive that if the proposal to your apprentices had been made by an overseer instead of yourself as proprietor, that it would have been attended with equal success?—I think it would, if the overseer would have taken the same trouble of calling them up and explaining the matter to them.

Do you think that overseers in general do give or could give themselves that trouble which you did?—I do not know.

Do you think the apprentices will generally work in the field during their own time for such wages as can be afforded?—I think not; nor would any one, placed as they are, work for wages in the field.

What do you mean by people placed as they are?—They have houses rent-free, they are clothed at the expense of the proprietor of the soil; they are attended and provided for when sick at the expense of the proprietor; they have as much land as they choose to cultivate in their own time, consequently they can gain more by cultivating that land than they would do by working in the field for such wages as the proprietor can afford to give.

Then what do you think would be the best mode to induce, or rather to render it necessary to them to work in the field?—If they were not allowed more land than sufficient for their maintenance they would then, in all probability, work for wages.

At what money cost do you calculate that you have manufactured your sugar per hogshead?—At the rate of about 14 *s.* or 15 *s.* per hogshead extra for their time.

Will you be so good as to state what passed between yourself and the apprentices when you expressed to them a desire that they should hire themselves at the works?—I called them all up to the house, and told them it was necessary they should work more than nine hours at the works, and that I wished them to speak their minds. Some said they would not work a minute over their time, but the boiler-men and many others said they would work at the works whatever length of time I might require them. When I knew the opinion of each individual, I ordered canes to be cut, and I put at the works those who had told me that they were willing to work in their own time; and I kept the same hands at the works for three weeks, when those in the field told me they did not know what I meant when I called them up to the house, but if I would try them at the works they would work the same as the others.

Do you expect to keep up your former average crops, and if not, what loss do you apprehend?—I expect to fall off one-fourth.

What is your idea as to the obedience to be expected from the negroes to any law enforcing labour in their own time for wages, and in virtue of which they would hire themselves, in case of refusal of work subjected to punishment; and state your idea of the policy of such a law?—I think they would be obedient; but it would be impolitic to enact such a law, for if you wish to induce them to work as free labourers now is the time to make the attempt.

EXTRACTS from the Examination of *Peter Symms*; Wednesday, 26 November 1834.

WHAT are you on Clifton Mount?—Head driver and constable.

How long have you been head driver?—Fourteen years.

Have the people generally behaved well under your orders?—Formerly they did.

What has been their conduct lately?—Since the 1st of August they do not work to please me; what they formerly did in one week they now only do in three weeks.

Are the apprentices on Clifton estate and Mount Lebanon willing to work for money in their own time?—No. They have offered on both Clifton Mount and Mount Lebanon 10 *d.* per bushel for picking coffee in their own time, and an able negro can pick from four to five bushels a day. Only a few of Clifton Mount people would consent to do this; all the Mount Lebanon people refused; and I consider there is about 40,000 weight of coffee there now ripening upon the trees, and in the event of heavy weather a great part would be lost.

Has any one taken the trouble to explain to the negroes the nature of their duties under the new law, and that it was for their advantage as well as that of the estate that they should work for wages in their own time?—Busha did take the trouble, and called them all up and read to them the new law on the 1st of August, and he has done so since, but they would not believe what he said, and wished to have their own way. I have taken the greatest pains, assisted by a man named William Smith, who can read, in explaining to them that under the new law they must behave themselves, be sober and obedient, or else when the apprenticeship is up they would not be able to get employment, but be turned off the property and left destitute; but they replied that William Smith and myself had made a bargain with Busha to make them fools. There are a few good ones among them, but if a stoppage is not put to this, they will have to go with the rest, being apprentices themselves.

EXTRACTS

EXTRACTS from the Examination of the Reverend *M. Cooper Bolton*, Rector of the Parish of St. George; Thursday, 27 November 1834.

How do you find the negroes behaving since the 1st of August, compared to their former conduct?—I do not observe much difference, that is, on the properties I officially visit, as regards their moral conduct.

EXTRACTS from the Examination of *Frederick White*, Special Magistrate, residing in the Parish of St. George; November 1834.

WHAT is your occupation in the island?—Special magistrate, residing in the parish of St. George.

What is your opinion of the general conduct of the negroes; do they appear to work cheerfully during the hours for labour as limited by law, and are they grateful for the boon which has lately been bestowed upon them; state your opinion generally?—My answer to this question would necessarily have reference to the information which I may possess of the manner in which negroes conducted themselves previous to the 1st of August. I arrived in this island, under my appointment of special Justice, on the 17th of April last. Early in May, his Excellency the Governor ordered me over to the parish of St. George, and having been then appointed by his Lordship to a local commission of the peace for the parishes of St. George and St. Mary, I found the magistracy of both those parishes anxious to associate me with them in all cases of difficulty arising from the misconduct of the negroes. Many cases therefore, prior to the 1st of August, did come within my observation, but still I consider my information too limited to enable me to draw any comparison between the conduct of the negroes before the passing of the Abolition Act and the conduct which they have since pursued. I think great allowance ought to be made for those excited feelings which must necessarily result from so sudden and so great a change. I do not hesitate however to say, that it does not appear to me that any negroes work cheerfully during the hours for labour limited by law, nor do I think that they are gratified for the boon which has lately been bestowed upon them, because they do not understand it. Any restriction whatever appears to them, in my opinion, to be contrary to the principles of freedom.

Are you aware of any equitable arrangement having been proposed by the gentlemen in the management of properties for the purpose of remunerating the apprentices for working in their own time, and which proposals have been refused?—Yes. I may say that without any exception offers of this nature have been made as far as my observation extends. By the Abolition Act, children under six years of age are left destitute if not supported by their parents. Those parents depend entirely upon the bounty of their former owners, if they do not choose to work for themselves. This they have refused to do; and every estate within my observation has offered, without availing itself of the terms of the Abolition Act, which would require an apprenticeship of the child until it is 21 years of age, to provide and continue all former allowances of clothing, medical care and nourishment, herrings, extras at Christmas, &c., to those children; and not alone to them, but also to allow whatever had been given extra in these respects to the aged, diseased and infirm (a numerous class), as well as to the individuals who work for the same; and in my humble judgment, the advantages to the negroes in these respects would have been infinitely greater than any thing that could have resulted to the master; for the condition was only that the 45 hours per week should be worked out without any deduction, every Saturday being still continued to the apprentices, whilst the supplies with which they were furnished would render it unnecessary for them to go to market. I know of no case in which this offer has been accepted by the apprentices, and as I have before had the honour of stating, I know of none in which it has not been offered by the masters. No application has ever been made to me by a single mother or father to apprentice a child under the terms of the Abolition Act, nor indeed under any terms whatever.

Has any opposition been offered on the part of the gentlemen in charge of estates to the carrying into effect the provisions of the Abolition Act?—None whatever.

EXTRACTS from the Examination of *Francis M'Cook*, Esq.; November 1834.

How long have you been in the country?—Twenty-three years.

Are you concerned in the management of negroes; and if so, state the case generally?—I am concerned in the management of negroes on properties in St. Dorothy, St. John's and St. Catherine's.

From the experience you have had of the new system of labour established under the Abolition Act, how has it succeeded?—Very badly.

Do you consider there has been any unwillingness on the part of the managers to enter upon the new system?—I certainly do not.

Do you know of the managers or proprietors of estates having, directly or indirectly, thrown any obstacles in the way of the stipendiary magistrates in the due performance of their duty according to law?—Not in the least; on the contrary every facility has been afforded to the special magistrates by the managers and proprietors to carry the same into effect, and to promote the working of the new system. I am, however, sorry to say, where they have succeeded (as was the case with Mr. Oliver in our parish) they have been removed to other parishes.

Are the apprentices now performing what you consider to be a fair and reasonable portion of

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of labour during the limited time required by law?—No; they do not do more than one half the labour they generally performed previous to the 1st of August.

Are they obedient to the authority of the managers placed over them, and conducting themselves with due subordination?—There is a passive resistance evinced by the negroes, and a sullen dogged disposition existing among them now that I never observed before; and I find they are becoming more insolent and insubordinate every day.

EXTRACTS from the Examination of *Hugh Ritchie Wallace*, Esq.

Do you find parents willing to apprentice their children?—No.

Do you find negroes performing the labour required by law as cheerfully as they worked when slaves?—By no means; sulk, discontent and sullen insubordination is their general appearance and conduct.

EXTRACTS from the Examination of *Richard E. Breary*, Esq.; Friday, 28 Nov. 1834.

How long have you been in the island; in what capacity are you; and have you any apprentices under your charge?—I have resided in this island constantly for the last eighteen years, during which period I have exercised the profession of a civil engineer, and possess a pen or breeding farm upon which are employed 85 apprentices and children.

Are the people under your care working and behaving as well since as they did prior to the 1st of August last?—Quite to the contrary.

EXTRACTS from the Examination of *John Blair*, Esq.; Friday, 28 November 1834.

How long have you resided in this island?—Twenty-eight years.

Have you had the charge of many negroes, and in what situation?—About 4,200 in 13 estates, and as many pens or coffee plantations.

Are the apprentices now working, as far as your observation has gone, as cheerfully and as well as they did previous to the 1st of August?—They are doing on an average as much in nine hours as they did formerly in seven.

Have you known in any instance where a fair and equitable arrangement has been proposed by persons in charge of properties, to compensate the apprentices for their own time, that they have declined to accede to such propositions; if so, to what cause do you attribute it?—I made the offer to the Worthy Park negroes, where I have been in charge nearly 12 years, and they refused, particularly the women; but I think when the crops come to be in operation, that some arrangements may be effected with them.

When called upon to work for wages, do not the apprentices require a larger sum in return than any produce of the country can bear, leaving a fair return to the landholder?—A larger sum has certainly been demanded, say 5*s.* per barrel for pimento, and 1*s.* 3*d.* per bushel for coffee.

Do the apprentices attend to their grounds, and otherwise employ their extra time to advantage, so as to increase their own comforts, and render them not liable to become a burthen to their masters?—They have not in some places, and in others the contrary.

Do the special magistrates attend upon estates as the law directs, and do you not consider that if the parishes in the island were divided into districts, and the special magistrates compelled to take their rounds as the law directs, that it would answer a better purpose than holding their special courts as at present they now do?—In some parishes they do, in others not; in fact, they are unable of doing. A district of ten square miles is as much as they can attend to; but courts will yet be necessary.

Are you of opinion, from the present reluctance evinced on the part of the apprentices to work, even for emolument, in their own time, that they will engage in regular agricultural labour, when the period of their apprenticeship shall have expired?—I am of opinion the cultivation of estates will cease with the apprenticeship, unless remedied by extensive emigration.

What do you think a fair remuneration to the apprentice for his extra labour; the field labourer for his day labour?—One shilling and eight pence per day for able field people; 1*s.* 3*d.* for the second gang; 10*d.* for the third.

What do you think are the remedies which ought to be applied to secure the working of the new system?—That the special magistrates be increased and armed with a constabulary force independent of the plantation constables, who in all cases are not to be depended upon; or that this duty be performed by the police, which would save expense to the parishes. The local magistrates to be invested with power, but not permitted to act in their own concern.

EXTRACTS from the Examination of the Rev. *Richard Panton*; Friday, 28 Nov. 1834.

STATE the nature of your connexion with the estate called Golden Grove?—I am appointed chaplain to that estate, by the Lord Bishop, and island curate for the parish of St. Thomas-in-the-East.

What are you acquainted with as to the causes of discontent amongst the negroes on that estate?—On Thursday October, about three o'clock in the afternoon, an apprentice attached to that property, came to speak to me, and told me that there were sad doings at Golden Grove. The magistrate and the people had quarrelled, and that the people were making very bad speeches, and he was afraid Mr. Archdeckne's property would be injured; he therefore begged me to come down to the property. I did so, and found the people at their work. I learnt that they had behaved themselves very improperly to the magistrate, and had in a very tumultuous manner rescued a woman whom the magistrate had ordered into confinement; I was also informed by the negroes generally, by the head driver, and by the

the overseer, Mr. Duncan, who had been present, that the magistrate had acted hastily, and after much provocation intemperately. When I arrived on the property, the magistrate was absent; he had sent for the police and soldiers. I left Golden Grove on my way homewards about dusk, and in riding through the negro houses, I found many of the people assembled. They were sulky and silent. I addressed them in the character of their minister on the impropriety of their conduct that day, and explained to them that a rescue was an act of rebellion. It was some time before I could produce any effect on them. They were evidently in a very bad state of mind, and spoke with much violence against the magistrate and Mr. M'Cornock, the attorney. At length it began to rain, and they begged me to go under shelter. I told them that I would not move, till I had got their promise to behave better, and that I did not care for a wetting if I could effect that. They then came close round me, and covered me as I sat on my horse with their cloaks. They were then near enough for me to recognize their faces, and I spoke to them personally. They at length said they had heard what massa said, and they could not see massa sitting there getting wet for their good; they would do what massa told them. I then prevailed on them to take the woman they had rescued, and deliver her to the constables, to be taken to the magistrate; after which I left the property.

Did M'Cornock on any occasion call on you again to quiet the minds of the negroes at a time of excitement and discontent amongst them; and state what passed between the negroes and yourself on your acceding to the wish of M'Cornock?—On the morning after the events mentioned in the last answer, the magistrate flogged eight men (one of whom had never been flogged in his life before) and sent six women and two of the men who were flogged to the workhouse. This punishment, instead of intimidating the people, put them in a state of frenzy. They worked during the day, but in the evening, when I was taking some refreshment in the house with Mr. M'Cornock, the overseer came in, and said he had an extraordinary message to deliver from the people,—that the man who had been flogged for the first time that morning, and his brother, were going to leave the property, and that there was a plan among the rest of the people, which plan was not confined to the property. I asked him what he understood them to mean by the plan. He answered, a rebellion. Mr. M'Cornock then asked me to use my influence to quiet the minds of the people, and requested me to send my own boy for the head men, lest if he sent for them they should not come. He also gave to the overseer and myself authority to arrange with the people a plan for taking off the crop. We succeeded in quieting the minds of the people, and in inducing them to adopt the plan for taking off the crop.

State the nature of the plan for taking off the crop; and if it was carried into effect?—The people agreed to work sixteen hours a day, to be paid for the extra time at the rate of a macarony for every working day of nine hours; and they said, that if at the end of three or four weeks, this time was not found sufficient to take off the crop, they would work more. It is the plan adopted on the neighbouring estate of Amity Hall, the property of Mr. Bond, where it is now in successful operation. This agreement was not adhered to by Mr. M'Cornock.

Are you aware of the terms of that agreement having been infringed by the white people or negroes?—The plan was never tried; for, before they cut canes, I was told by Mr. M'Cornock, that he expected the people to work for no money during that time. I believe he meant that their allowances would be considered by them sufficient remuneration.

Did the negroes then, on Golden Grove, never work by agreement until ten at night, in the mill or boiling-house?—I believe they refused to work, unless they were paid in money; and then Mr. M'Cornock again proposed to them a plan of his own, which they had some time before rejected: to work from four in the morning till ten at night for money, according to which plan, although I believe not formally agreed to, they are now working.

The negroes at Holland have lately given much trouble to those in authority over them; has any occurrence on any neighbouring property caused that discontent; state the nature of that occurrence?—The people at Holland refused to work at all after sunset, and the magistrate punished them. On Saturday last some of them attended in my congregation. On Sunday, in the evening, I asked them why they would not work for wages; they told me they were willing to work from four till eight, *i. e.* sixteen hours a day, for money; but they were told that for that work they would get their usual allowances, but if they worked till ten at night, they would get money. I asked why they would not agree to work till ten; they answered that if we agree to work as late, we shall be cheated, as the people on Golden Grove are. They have agreed to work till ten, and they do not boil off till three and four in the morning, and often work the mill till eleven and after. The reason generally given to me why the apprentices are unwilling to work at night for wages, is, they do not expect to be honestly dealt with.

EXTRACT from the Examination of Lieutenant *St. John*; Tuesday 2 Dec. 1834.

WHAT is your situation in this island?—A lieutenant in His Majesty's royal regiment of artillery, and colonial island engineer, and surveyor of public works.

Have you the superintendence of the parties employed on the public works, and what majority of them are apprentices?—I have, and to the best of my knowledge about two-thirds are apprentices.

Do these apprentices perform the same proportion of work as they did prior to the 1st of August?—Most decidedly not; the difference has been so great, that I have been obliged

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obliged to add 15 per cent. to all estimates; I beg leave to refer to Messrs. Sax & Clarke, contractors for public work in Spanish Town, in support of my answer to this question, both these gentlemen having complained to me, that they could not get their apprentices to do more than one-half of the work they used to do previous to the 1st of August. This complaint was made to me in consequence of my finding fault with the slow progress of the work.

EXTRACT from the Examination of *John Stuart Jerdan*, Esq. Special Magistrate, St. Thomas-in-the-East, St. Mary's.

FROM the experience you have had in that capacity, how is the new system succeeding? —Very indifferently indeed. Upon scarcely any estate or plantation I have visited, are the apprentices doing more than two-thirds of the work they used to do, in an equal number of hours, previous to the 1st of August. In the manufacture of sugar, the falling off is still more apparent, and from the general unwillingness of the apprentices to work in their own time for wages.

—No. 29.—

No. 29.

COPY of a DESPATCH from the Marquess of *Sligo* to Mr. Secretary *Spring Rice*, &c. &c. &c.

King's House, St. Jago de la Vega,
1 January 1835.

Sir,

I HAVE the honour to inform you, that the post which this day arrived, has brought the most remarkably satisfactory account of the conduct of the negroes all over the island. I enclose herewith extracts from *all the letters* relating to the subject, which I have this morning received.

I have the honour, &c.
(signed) *Sligo.*

Enclosure in No. 29.

Enclosure in No. 29.

EXTRACT of a LETTER from Mr. *James Clinck*, Special Justice, dated Spanish Town, 28 December 1834.

I BEG leave to state, for your Excellency's information, a few facts which I have heard and witnessed in several parishes within the last 14 days.

I was told by Dr. Wright, of Manchester, that a gentleman (I think of the name of Lewis) in his parish had lately bought a property which he is working by free labour (that is by apprentices in their own time) at the rate of 2*s.* 6*d.* per day; and that he heard a few days since that there was upwards of 200 people employed in cutting down large trees and clearing the land for the cultivation of coffee. I was on a property in St. Elizabeth, where the apprentices had offered to pick coffee in their own time at 1 *s.* 8*d.* per day, but were refused employment by their master at that rate, although their master has stated publicly that the apprentices were not working, and would not work in their own time.

EXTRACT of a LETTER from Mr. *Thomas Davies*, Special Justice, dated Falmouth, 30 December 1834.

I DO myself the honour of sending my weekly report, and to say that all is quiet here, and people gone to their work at all places I have been able to inquire from.

EXTRACT of a LETTER from Mr. *William Norcott*, Special Justice, dated St. James's, 30 December 1834.

I HAVE the honour to inform you that the holidays passed off in this town and parish in perfect tranquillity; the apprentices returned to their several duties on Monday.

EXTRACT of a DIARY from Mr. *Henry Laidlaw*, Special Magistrate, dated St. Ann's, 30 December 1834.

THE apprentices in this neighbourhood turned all quietly out in regular time at the conclusion of the holidays, and their conduct during the holidays was very exemplary.

EXTRACT of a LETTER from Mr. *Samuel Pryce*, Special Justice, dated Trelawney, 30 December 1834.

IN forwarding my weekly Report I have much satisfaction in informing your Excellency that the whole of this district is perfectly tranquil and orderly. The apprentices turned out to work very regularly and generally, and the uniform tenor of the *humorous* reports of the managers, of yesterday's date, as to the good conduct of the people on every estate, without any exception, will doubtless be highly gratifying to your Excellency.

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EXTRACT of a LETTER from Mr. *R. S. Cooper*, Special Justice, dated St. Mary, 31 December 1834.

IT is with real pleasure I add for your Excellency's information, that the holidays have thus far passed off in this district undisturbed by the occurrence of any serious impropriety; the apprentices of several estates which I made a point of visiting *unofficially*, were in high spirits, and evidently too seriously bent on enjoying their little carnival, to spare even a passing thought on mischief.

EXTRACT of a LETTER from Mr. *Charles Hawkins*, Special Justice, dated Trelawney, 30 December 1834.

EVERY information that I have received since the commencement of the Christmas holidays has been most favourable, and that the apprentices turned out on Monday in due time, as far as has come to my knowledge at present.

EXTRACT from the DIARY of Mr. *W. H. Sowley*, Special Justice, dated St. Ann's, 31 December 1834.

THE apprentices have been behaving very well, and very few or no complaints against them. The holidays have passed off quiet, and every one appears satisfied; nor is there the least reason to apprehend any thing unpleasant after the 1st of January.

All the apprentices turned out to their usual occupations on Monday; a few came late, but every allowance must be made for this.

EXTRACT of a LETTER from Mr. *Alexander Grant*, Special Justice, dated Hanover, 30 December 1834.

IN consequence of the Christmas holidays, my services have not been called for by any person, nor a single complaint made to me since I last had the honour of addressing your Excellency. The apprentices in this district turned out to their work in the most regular manner yesterday morning.

EXTRACT of a LETTER from the Honourable *William Miller*, Custos of Trelawney, dated 30 December 1834.

AN improvement in the general conduct of the apprentices has also taken place here lately. Our sugar crops generally will not commence for a month to come; they may be taken off with less difficulty than was at one period anticipated.

The Christmas holidays passed over quietly, and the apprentices have returned to their work as usual.

EXTRACT of a LETTER from Captain *A. Dillon*, Special Justice, dated St. Ann's, 30 December 1834.

I HAVE much pleasure in reporting that there was not the least appearance of riot or disorderly conduct in the apprentices of my district during the Christmas; and that they went to work in good time yesterday morning, Monday 29.

There are a few alarmists, who still seem to think there will be a strike not to work on the Monday after New-year's day. I do not apprehend such. I have made most minute inquiries, and find no ground for the idea.

EXTRACT of a LETTER from Mr. *W. A. Bell*, Special Magistrate, dated St. Elizabeth, 30 December 1834.

I AM sorry to hear that on some properties here the attornies have not given the usual Christmas allowance to the negroes, chiefly it appears on a principle of economy. I am afraid, from the negro character, that I shall have a little trouble; but as yet this parish, from what I hear and see, is much easier to be managed than St. Ann's (my last district), the cases being merely single, no gangs refusing to work, and the people more respectful.

EXTRACT of a LETTER from Mr. *E. D. Philip*, Special Magistrate, dated Westmorland, 30 December 1834.

ENCLOSED is a copy of my last week's proceedings for your Excellency's information, and am happy to acquaint your Excellency the holidays in my district passed away very quietly, and to the best of my knowledge the whole of the apprentices returned to their work as usual yesterday morning.

EXTRACT of a LETTER from Justice *Wm. Ramsay*, dated Savannah-la-Mar, 30 December 1834.

I BEG to state to your Lordship that the peasantry are all at work, and, from every information I can obtain, are working cheerfully and well. They all turned out on the 29th, and appear to be desirous of giving satisfaction to those who treat them kindly, and do not withhold from them those allowances which they have hitherto been accustomed to receive.

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EXTRACT of a LETTER from the Honourable *C. P. Berry*, Custos, Manchester, 30 December 1834.

IN compliance with the wish of your Excellency, that I would inform you how the holidays passed off in this quarter, I have the pleasure of saying (and my information is derived from different parts of the parish) that every thing has gone off very well, and the people returned quietly to their work on Monday.

EXTRACT of a LETTER from Mr. *James Nolan*, Special Justice, dated Vere, 30 December 1834.

I ARRIVED here early on Monday, and am happy to inform your Lordship that the apprentices in this parish, from what I can learn, are going on as well as possible. I have visited nine properties yesterday; no complaints; and the managers have informed me that for years, after Christmas, they have not been so regular at work or so cheerful as they observed them this year. The mill is also about on Money Musk and other estates. It will be gratifying to your Excellency to learn that the apprentices are working well in their own time, by allowing them the usual supplies, and I am confident, as soon as all the estates go about, that the example will be general.

EXTRACT of a LETTER from Mr. *R. Cocking*, Special Justice, St. Mary, 30 December 1834.

I FEEL much pleasure in acquainting your Excellency that the conduct of the apprentices during the holidays was praiseworthy to the extreme; no peasantry in the world could have conducted themselves with more propriety.

EXTRACT of a LETTER from Lieut.-Colonel *Gregg*, Special Justice, Bath, 30 December 1834.

I AM most happy to inform your Lordship that St. David's, St. Thomas-in-the-East, and Portland are perfectly quiet, and that, under your Lordship's judicious arrangements, the Christmas holidays have passed off quietly. I shall remain in this quarter till after New-year's day holiday, and shall then order Sub-Inspector Kelly to Kingston to recruit, so as to enable him to have a station at Manchioneal, as the distance is very great from Panton's to Friendship Castle. I have called upon the Custos M'Cornock, and he informs me that he has had reports from the extreme of the parish, and that they are of a most satisfactory nature.

I have seen Mr. Daughtrey and Mr. Blake, and they confirm the former statement. Your Lordship may rely on my flying to that place when I hear of the least attempt at resistance.

EXTRACT of a LETTER from Mr. *E. B. Lyon*, Special Justice, dated Morant Bay, 30 December 1834.

I HAVE the honour to transmit my Diary for the week ending this day. Every thing has been quiet and orderly during the holidays, and the apprentices have returned to their labours apparently with cheerfulness.

EXTRACT of a LETTER from Mr. *Samuel Lloyd*, Special Justice, St. Andrew, 30 December 1834.

I HAVE much satisfaction in communicating to your Excellency, that, with the exception of the slight manifestations of discontent at Mount Dakins on Christmas-day, a more orderly demeanour was never before witnessed during the holidays throughout the parish.

In Diary of Mr. Thomas Colebrooke, Special Justice, Manchester, to 30 December 1834, he reports the parish orderly and quiet, and that the apprentices were working.

EXTRACT of a LETTER from Mr. *Edward D. Baynes*, Special Justice, St. John's, 30 December 1834.

I HAVE the honour to forward your Lordship my Diary up to the above date. Your Excellency will perceive that there have been no complaints for the three days it embraces. I am happy to state that the apprentices on the estates I have visited, turned out regularly and peaceably to their work as usual on Monday morning, and that reports have been made to me from Worthy Park, Thetford, Luidas Vale, and other parts of the parish, imparting the same satisfactory intelligence.

EXTRACT from Mr. *James Clinch's* DIARY, to 30 December 1834, Spanish Town.

I AM happy to say that I have not heard of a single instance in the parish of the apprentices refusing to work last Monday.

EXTRACT of a LETTER from Mr. *J. Daughtrey*, Special Magistrate, Bath, 30 December 1834.

THE negroes of this district have fully realized the best hopes of their friends in their behaviour during the holidays. It has not only been irreproachable, but admirable. I may venture to assert, that in no part of our own three kingdoms could you find a population of the

the same density in which a similar season would have passed over with equal cheerfulness and equal decorum. They have really been what our own poor are seldom able to be, both "merry and wise."

My Lord, the Bushers themselves have evidently been struck with surprise to see the people whom, heretofore, they have been too apt first to deprecate and then to despise, conducting themselves throughout the entire period of festivity in so rational, sensible and inoffensive a manner. I will do these gentlemen, however, the justice to say, that they have on this occasion been candid and unreserved in the testimony they have borne to the behaviour of the people.

Every where they have assured us that it has not only been blameless, but marked by a degree of propriety and self-restraint *never witnessed before*. No mean evidence this, I think, that the partial change which has taken place in their civil condition is now at least acting favourably.

And may not your Excellency fairly indulge the hope, that with the advantage of wholesome instruction, and a firm but impartial administration of the existing law, they will at no distant day acquire the virtue, and become fitted for duties of the entire freedom which awaits them at the expiration of the apprenticeship?

Having spoken of their behaviour during the holidays, I must not omit to add, that the turn-out on Monday morning was, in proportion, good and unexampled. Instead of coming late, or repairing in numbers to hospitals, as was the case in former years, all were found in their places when the lists were called. Throughout these large river estates I have yet heard of but a single absentee, and his case was expected to be accounted for.

Such a report as this, from the most valuable district in the island, must be gratifying to your Excellency, and I transmit it with feelings far beyond those of mere official satisfaction.

The fine behaviour of the people having deprived me of the usual materials for a regular diary, I gladly, in this instance, omit the weekly return of complaints and decisions.

It will be scarcely deemed irrelevant to notice, that besides the usual Divine Service at Bath on Christmas-day, the church at Golden Grove was opened for the same purpose on Friday, and an overflowing congregation of negroes attended.

On Saturday, I was "at home," by a general understanding, and had numerous visitors, all respectful and all cheerful.

I make it a point to tell them how much your Excellency desires their welfare, and how pleased you are when I can give a good account of them. Few things seem to gratify them more than to hear me say so.

EXTRACT of a LETTER from Major *D. MacGregor*, Special Justice, Portland, 29 December 1834.

As I anticipated (in my late reports) the Christmas holidays have passed over in the most orderly manner. Not the slightest complaint on the part of the master, apprentice or any other person came before me, although often more than 2,000 persons were in one day assembled in Port Antonio during these holidays. Not even a guard necessary.

EXTRACT of a LETTER from Mr. *F. White*, Special Justice, St. George's, dated 30 December 1834.

I HAVE great pleasure in further stating to your Excellency the Christmas week passed off quietly, and to judge by the appearances of the different faces of the negroes, I may with truth say, all in this parish will make themselves happy, now they know the line of duty they are to pursue.

EXTRACT of a LETTER from the Honourable *John Manderson*, Custos, St. James's, 30 December 1834.

IT will be gratifying to his Excellency to hear that the holidays in this district have passed off in perfect order and tranquillity, and that reports from various parts of the country concur in the expression that the negroes have without hesitation resumed their duty.

EXTRACT of a LETTER from the Rev. *S. H. Stewart*, Special Justice, Manchester, 30 December 1834.

I BEG to add that the Christmas has passed over here most satisfactorily, and without the slightest symptom of dissatisfaction. The church overflowed, and the usual negro amusements were carried on with undiminished spirit.

The allowances were distributed by proprietors, with very few exceptions, as plentifully as ever. One gentleman, a large attorney, Mr. John Davy, adopted what appeared to me a most judicious plan: he withheld the Christmas allowance from every person who had been sentenced to any punishment by the special magistrates.

EXTRACT of a LETTER from Mr. *Richard Daly*, Special Justice, Savannah-la-Mar, 30 December 1834.

I HOWEVER beg leave to state that I have of late gone through various parts of the country, and up to the present period I am most happy to bear testimony to the most orderly, correct and obedient conduct on the part of the apprentices since the commencement of the holidays.

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EXTRACT of a LETTER from Mr. *Henry Blake*, Special Magistrate, Bath, 30 December 1834.

I AM happy to inform your Lordship, that as far as have been seen, no people *could possibly* conduct themselves *better* than the apprentices have done all over the district; and yesterday morning (except in one or two instances) they were all at work at the proper hour.

EXTRACT of a LETTER from Mr. *W. H. Sowley*, Special Justice, St. Ann's Bay, 30 December 1834.

I HOPE I may be permitted here to say, that I have never seen apprentices in any parish conduct themselves with greater propriety at this season of the year, than I have witnessed here.

EXTRACT of a LETTER from the Honourable Dr. *Robertson*, Custos, St. Elizabeth, 30 December 1834.

I BEG to mention, for the information of his Excellency the Governor, that general tranquillity has prevailed through the extensive district under my command during the Christmas holidays, and that the apprentices turned out on all the properties under my control on Monday morning with the greatest cheerfulness and alacrity.

EXTRACT of a LETTER from the Honourable *Thomas M^cCormack*, Custos, St. Thomas-in-the-East, 30 December 1834.

I HAVE the satisfaction of stating, for the information of his Excellency the Governor, that the Christmas holidays passed over quietly throughout this parish. I never saw the apprentices behave better, and they all returned cheerfully to their work on Monday morning.

The guard at the magazine and arsenal at Morant Bay was dismissed yesterday, and His Majesty's sloop, Fly, will leave Port Morant to-morrow morning.

EXTRACTS from a LETTER of Captain *William Oldrey*, Special Magistrate, St. Elizabeth's, 30 December 1834.

Dundee Estate, 160 apprentices, Trelawney.

Coppers hung and plumber's work done in the apprentices' own time, and I can hire as many labourers as I require for the estate from the neighbouring estates, *in their own time*.

New Ground Estate, Clarendon.

The apprentices are quite willing, and are working cheerfully for wages at alternate daily spells; by this system 16 hours' labour at the works is secured to the estate.

Amity Hall, 258 apprentices, St. Thomas-in-the-East.

By working on the above system the manager states that he can make 400 tons of sugar during the crop, and they are making more sugar than their neighbours in six days on the double spell system.

Salt Savannah, 323 apprentices, Vere.

I am confident we shall get on, not only as well, but better than last year; the people have done better since you were here, and no grumbling, although *without fish*.

I am happy to report that the apprentices in St. Elizabeth have conducted themselves extremely well throughout the Christmas holidays. They have passed off in a religious, rational, peaceable, sober and orderly manner.

The apprentices turned out extremely well on Monday morning, and are, with but few exceptions, going on well.

—No. 30.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State, dated The King's House, St. Jago de la Vega, 12 January 1835.

No. 30.

THE holidays have passed off in a manner quite to excite astonishment. In my last communications to Mr. Rice by the Nightingale, I informed him that the apprentices had returned to their work at the appointed time, most good-humouredly. Since then another post has arrived, and the reports which I thereby received have confirmed these most satisfactory statements. The 1st, 2d and 3d of January were also holidays in most parts of the island, and the negroes returned to their work on the 5th, with even more exactitude than formerly had been remarked to have been the case. I have seen several gentlemen, and received letters from some, all of whom express their confidence that no combined scheme of resistance has ever been in their minds; nor do they labour under the slightest apprehension of any thing of the sort for the future. On some estates I am told that much jealousy had been caused by only the best men having been selected to work extra time for hire; and have no doubt but that wherever they are paid each Saturday ready money for their labour, there will be found no difficulty

difficulty in persuading as many of the apprentices to work for hire as may be required. Each post brings me in fresh accounts of arrangements made, as the crop commences in the different parts of the island, between the proprietors and apprentices for extra work, and I have no doubt but that unless something unforeseen occurs, a full average crop will be taken off this year.

—No. 31.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State for the Colonies, dated King's House, St. Jago de la Vega, 29 January 1835.

No. 31.

THE delay in the sailing of the Mutine packet, which has been rendered necessary under the Post-office regulations, in consequence of the non-arrival of the Carthagena Mail, enables me to state further for your information, that all the reports which have reached me from the special magistrates and others in all parts of the island by this morning's post, are of the most satisfactory nature. I enclose to you copies of parts of some of the letters from the magistrates, few only having written by this post. The great absence of complaint in comparison with what used to appear in their weekly reports, having afforded me the best proof of the success of the new system, and superseded the necessity of any particular notice from them of the state of the country during the last week. The punishments are becoming much lighter, and more frequently for petty thefts than for any offence which has relation to the change in the condition of the negroes. There are still some instances of absolute refusals to work. I regret to say that in one parish there has been, as reported to me by the special Justice, some grounds of complaint against the managers or proprietors, for not acting up to their engagements. I trust, however, that this will be remedied by the exertions of the magistrates of that parish; and as it is the only instance of the sort which has been reported to me, I do not think that it is of a nature to excite any uneasiness. Unless something quite unforeseen at present occurs, I have little doubt but that a full average crop will be taken off this year.

Enclosure in No. 31.

EXTRACT of a LETTER from *Simeon Farrar*, Esq. Special Magistrate, dated Haughton Grove, St. James, 26 January 1835.

Enclosure in No. 31.

THE principal part of the estates in this district have commenced the taking off the crop, and I am happy to be enabled to inform your Excellency, that upon the whole they are working quite as well as I could possibly have expected, considering the great change which has taken place in the condition. On some of the estates the apprentices are working in their own time for wages, and on others by spells, according to your Lordship's Circular 633, November 14th. I have endeavoured to explain to the people on the several properties in this district the precise nature of their duty during crop, and I have much pleasure in saying that I have seen nothing of a refractory spirit (with one or two exceptions) since my arrival here. I am of opinion that the apprentices, when they are fully convinced of what is required from them, will conform to the laws; should, however, any thing transpire of sufficient importance to trouble your Excellency with, I shall not fail immediately to report it.

EXTRACT of a LETTER from *Thomas Davies*, Esq. Special Magistrate, dated Falmouth, 26 January 1835.

I BEG to say the mills on the respective estates are now going about, and I have no complaints, but things are going on cheerful.

EXTRACT of a LETTER from *Henry Laidlaw*, Esq. Special Magistrate, dated Moneague, St. Ann, 27 January.

IT has been a pleasant part of my duty to bring under the notice of your Excellency the recent marked improvement which has taken place in the conduct of the apprentices in this district.

EXTRACT of a LETTER from *John Daughtrey*, Esq. Special Magistrate, dated Bath, St. Thomas-in-the-East, January 28, 1835.

IN removing from this district, it is a peculiar satisfaction to me that I leave it in a state of the most perfect peace and order, improving in industry, and lessening in crime.

JAMAICA.

Prejudice itself is silenced by the generally excellent behaviour of the people. The ships in Port Morant, eight in number, are rapidly taking in their cargoes, and some are almost on the eve of sailing with a view to second voyages.

Extract of a LETTER from *W. Marlton*, Esq., Special Magistrate, dated Ramble, St. Mary's, 28 January 1835.

The mills on different properties have gone about; and the apprentices are doing their duty. Your Lordship would be pleased to see the labourers on the Ramble, and the cheerfulness with which they work; kindness, and not coercion, induces them to labour.

—No. 32.—

Extract of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 8 February 1835.

No. 32.

THERE are many allowances which are given besides those you have alluded to, and which could be withdrawn with perfect justice, though not without some degree of suffering to the negroes; I allude to clothing and food, salt fish, medicines and medical attendance for the children, who, being under six years of age, are not bound to give any labour to the estate. In all cases these children live with their parents, and in a certain degree at the expense of the estate, inasmuch as they are fed from the provision grounds of the estate. I found fault with the conduct of those persons who discontinue these allowances at once, without any cause, and still more those who attempted to deprive them of their field nurses and cooks, of cohabitation with their reputed families, and of their usual bye-paths, for the purposes of annoyance, and not in justice either to themselves or their employers. Instances of such conduct did take place at first, but I am happy to say they were few in number, and that the steady demeanor of the specials, combined with the certain punishment which follow them, to say nothing of a sense of their own interest, which ought originally, exclusive of humanity, to have prevented such conduct, has quite put an end to them, and produced, in combination with other circumstances, the happy state in which the island is at this moment. In reference to Mr. Lyon, the special magistrate, as his name is introduced in so deservedly high terms, I may venture to add, without multiplying more than is necessary my Despatches, that he is a very great acquisition to the special magistracy. He possesses the unlimited confidence of the gentry, though a man of colour; and that he is not disputed by the negroes, may be gathered from the fact, that he himself, by his own influence, made arrangements with the apprentices on thirteen estates t otake off the crops, in their own time, by spell, for the proprietors, on terms which they were glad to adopt, and after the apprentices had refused to enter into any arrangement with them previous to his interference.

—No. 33.—

Extract of a DESPATCH from the Marquess of *Sligo* to Lord *Aberdeen*, dated The King's House, St. Jago de la Vega, February 10, 1835.

No. 33.

THE Flamer being now on the eve of sailing, I think it expedient to inform you, that nothing can be more satisfactory than the state of this island at the present moment, under the peculiar circumstances in which it is placed.

I have the honour to inclose to you Extracts from the reports of the special magistrates for the last week. Unfortunately, they have in very few instances sent me their usual remarks, or I should have been able to have afforded you more detailed information.

The cause has been, that the complaints were in most parishes very few in number, and that their reports being nothing but a repetition of "all going on well," they did not think fit to write; at least it is to that cause that I attribute my not having heard from all. I have, however, issued orders that they shall not act similarly in future.

From all that I have been able to collect, I think that the crop will be, if not more, at all events a full average one, and can with certainty assure you, that the apprentices are improving daily in their industrious habits, and their desire for the acquisition of money. There are some few exceptions, but those arise, in my opinion, from distrust of their masters, and not feeling certain of being paid for their

their extra labour each week. On all the estates where hard labour has gone on for two or three weeks, and that on the Saturday night they receive their payment, any extent of work may be performed.

Enclosure in No. 33.

EXTRACT from a LETTER from *R. J. Langrishe*, Esq., Special Justice, dated Oliphant's, Clarendon, 4 February 1835.

Enclosure in No. 33.

I HAVE been prevented from visiting the Mountain District, in consequence of having been called upon to visit several sugar estates in the low lands, where the apprentices showed generally a disposition to avoid labour. I am happy to say, satisfaction is now almost universally given in my district.

EXTRACT from a LETTER received from *Samuel Pryce*, Esq., Special Justice, dated Trelawney, 3 February 1835.

CROPS have commenced on several estates since I had last the honour of addressing your Excellency; and it affords me much pleasure to report to your Lordship that the district is peaceable, and that the apprentices generally are going on as well as could reasonably be expected.

EXTRACT from a LETTER received from *T. M. Oliver*, Esq., Special Justice, dated Savannah-la-Mar, 3 February 1835.

I HAVE the honour, in accordance with your Excellency's commands, to state for your information, that there is no cause of complaint as to the apprentices in this district; and the working of the negroes in my last visit round, was satisfactory; as the managers in no one instance seemed dissatisfied, as the apprentices are doing good, and a fair proportion of work.

EXTRACT from a LETTER from *W. Oldrey*, Esq., Special Magistrate, dated St. Elizabeth, 3 February 1835.

I BEG to apologize for this hasty epistle; yet I cannot conclude without assuring your Excellency, that the apprentices are in this parish doing extremely well; better by far than their masters expected.

EXTRACT from a LETTER from Mr. *Philp*, Special Magistrate, dated Westmorland, 3 February 1835.

ON my explaining the nature of the law to three estates' people, they complained of not having had their usual Christmas allowances, the same as all the adjoining properties, which in my opinion is the principal cause of so much discontent amongst them; the three estates are now working the two spells, and I feel every confidence in their continuing to do so by proper management. Your Excellency will please observe I have not found it necessary to punish any individual on either of those estates since they commenced the two spells.

EXTRACT from a LETTER from the Hon. *Thomas M'Cornock*, dated St. Thomas-in-the-East, 4 February 1835.

I AM glad to say every thing is going on well in this district, and if not improperly interfered with by the agents of those who wish the apprenticeship system done away with, I am certain the people will behave to our satisfaction.

EXTRACT from a LETTER from *R. S. Haly*, Esq., Special Magistrate, dated Clarendon, 4 February 1835.

I EXPECT by the next post to be able to send your Lordship a list of the estates upon which working agreements have been made; and I hope it will include every property of this district requiring additional labour. It is very satisfactory to know the apprentices have not yet in any instance refused to labour for hire; and also to have received the assurance of some managers that their people are not only working better than they expected, but that more sugar is made than under the old system; and I sincerely believe with good management this might be the case upon the whole of them.

JAMAICA.

—No. 34.—

No. 34.

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 26 February 1835.

THE Island post having this morning arrived, and the packet being ordered to sail to-morrow, I avail myself of the oppoortunity to inform you that the accounts from all parts of the island, excepting St. James's, are most satisfactory. In Trelawney there were some slight symptoms of insubordination, but they were at once repressed and punished by the firmness of Mr. Hawkins, the special justice, and the police.

In St. James's there certainly appears to me to be a great falling off in the quantity of sugar made, but it is the only quarter from which such a report has reached me.

Enclosure in No. 34.

Enclosure in No. 34.

My Lord, Morant Bay, 18 Feb. 1835.

HEREWITH I have the honour to transmit my Diary for the week ending this day.

I have observed in the public papers a statement, malignant and untrue, respecting the conduct of the Belvidere apprentices, which, lest it might receive one moment's credence by your Lordship, I conceive it now my duty to declare, has not the slightest foundation; an attempt at rescue, or a disturbance of any kind did not occur. Mr. Cuthbert and the overseer both assure me of their perfect satisfaction of the conduct of the apprentices at present; and as facts speak much louder and with more distinctness than mere assertions, I have only to refer your Lordship to their performance. The last three weeks they have made twelve hogsheads of sugar weekly, which by a reference to the books, appears to be equal to the maximum made at this time last year, and the quality is much superior to last year's.

The greater part of this week I have travelled in company with Captain Eveleigh.

I have the honour to be, &c.

(signed) *Edmund B. Lyon,*
Special Justice

—No. 35.—

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 6 March 1835.

No. 35.

AS the packet sails this evening for St. Thomas's, I feel it right to state for your information, that nothing can be going on better than every thing in this island.

The crops on the north side have, it is true, been much interrupted by the heavy rains, which have compelled the managers to stop the mills in full work for a week or ten days at a time; but as far as the work of the negroes is concerned, it is now found that, except on Saturdays, as much work as is required can be had for wages.

PAPERS

In explanation of the Measures adopted by His Majesty's Government, for giving effect to the Act for the ABOLITION of SLAVERY throughout the BRITISH COLONIES.

(Presented to Parliament, by His Majesty's Command.)

PART I.—JAMAICA.

1833—1835.

Ordered, by The House of Commons, *to be Printed,*
16 *April* 1835.

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PAPERS

PRESENTED TO PARLIAMENT, BY

HIS MAJESTY'S COMMAND,

IN EXPLANATION OF THE MEASURES ADOPTED BY HIS MAJESTY'S GOVERNMENT,

FOR GIVING EFFECT TO THE ACT

FOR THE

ABOLITION OF SLAVERY

THROUGHOUT THE BRITISH COLONIES.

PART II.

(In Continuation of the Papers presented this Session, No. 177.)

JAMAICA—(*continued*),

BARBADOES, BRITISH GUIANA,

AND MAURITIUS.

1833—1835.

Ordered, by The House of Commons, *to be Printed,*
10 *June* 1835.

SCHEDULE.

SCHEDULE of INSTRUCTIONS addressed by Mr. Secretary Spring Rice, and Lord Glenelg, to the Officers administering the Government in His Majesty's Possessions in the West Indies, and on the Continent of South America, &c.

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(Appendix A.)

COPY of the Trial of Damon and Others in British Guiana, with the Protest entered by one of the Court against the Sentence pronounced; and any Despatches from the Secretary of State on that subject.

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(Appendix B.)

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No. 17.—Antigua, &c.—Order in Council, 31 July 1835, declaring that adequate and satisfactory Provision hath been made in the Colonies of Antigua, Bermuda, Bahamas, St. Christopher's, Dominica, Grenada, St. Lucia, Trinidad, Mauritius, and the Cape of Good Hope, for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the Abolition of Slavery - - - - - - - p. 389

PAPERS

RELATING TO THE

ABOLITION OF SLAVERY.

SCHEDULE of INSTRUCTIONS addressed by Mr. Secretary *Spring Rice*, and Lord *Glenelg*, to the Officers administering the Government in His Majesty's Possessions in the West Indies, and on the Continent of South America, &c.

(G.)

COPY of a CIRCULAR DESPATCH addressed by Mr. Secretary *Spring Rice* to the Governors of the West India Colonies, &c.

Sir, Downing-street, 30 September 1834.

Despatch (G.)

AS it is very probable that the great change effected in the condition of the negro population of His Majesty's Colonies may lead to many consequent alterations in the system of the cultivation of lands, and in the general pursuits of industry; I am desirous of directing your attention specially to a subject which cannot but be of the highest interest and importance to the community with which you are officially connected. I wish to obtain the benefit of your opinion, and of the local experience which you are enabled to command, in relation to the effect which free labour and the apprenticeship of the negroes is likely to produce upon the pursuits of profitable industry. With this view you will be so good as to inform me whether you conceive that labour is likely to be applied profitably to the production of any new articles, whether of agriculture or of manufacture; whether the production of the staple articles is likely to be affected; whether capital is likely to be diverted into new channels, or to be applied to the more extended production of articles at present known in the markets; whether there exist any and what obstacles which impede this change or this extension of industry; and how such obstacles, if existing, may be removed. I am aware that the subjects of inquiry which are thus suggested to you include a most extended field of investigation; but the importance of the inquiry, both as bearing on the interest of the Colony and of the mother country, is too obvious to require any argument of mine in its support. The promotion of industry, the consequent creation and accumulation of capital, the possession of property, and the respect for laws which give that property protection, are the progressive steps by which, if governed and influenced by the still higher sanctions of religious and moral principle and education, the advancement of communities in improvement and happiness is permitted to take place. It becomes important, therefore, to those who are charged with responsible duties to consider with the most earnest anxiety what steps they may be called on to take or to recommend for the purpose of accelerating, as far as human agency can do so, the development of those causes of prosperity on which the welfare of nations depends.

You will perceive that the objects which I contemplate will best be attained by procuring information on the following points:

1. The present state of productive industry, distinguishing the articles raised for consumption within the colony, and their relative value to the exported produce.

2. The possible changes which the Act for the Abolition of Slavery may produce in the agricultural, manufacturing and commercial system; especially the domestic economy of the agricultural labourer.

3d. What appear to be the obstacles which impede the powers of production or exchange, and to what causes may they be attributed.

4th. The remedies, whether legislative, financial or administrative, by which any of those obstacles may be lessened or removed.

Despatch (G.)

Entertaining a confident persuasion that you will not only appreciate but participate in the views and feelings which have prompted these inquiries, and that you will feel equally disposed with His Majesty's Government to assist in any measures which may not only make a sympathy for the Colonies but which have a tendency to promote their improvement, I recommend this subject to your early and most serious consideration.

I have, &c.
(signed) *T. Spring Rice.*

(H.)

CIRCULAR DESPATCH addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Despatch (H.)

Sir, Downing-street, 15 June 1835.

I HAVE had under my consideration the several Returns which have been received in answer to my predecessor's Circular Despatch of the 16th of March, showing the number of persons, heretofore resident in and connected with the Colonies, to whom special commissions have been issued by the Governors or Lieutenant-governors, under the Act for the Abolition of Slavery.

These Returns exhibit a diversity of conduct and of judgment amongst the Colonial Governments, as to the degree of forbearance or freedom with which these commissions should be issued, which I find it difficult to account for by any difference of local circumstances. By the Marquess of Sligo in Jamaica, and by Sir Lionel Smith in Barbadoes, whose judgments are on every account of the highest authority, I find that no special commissions whatever have been issued to gentlemen connected with those Islands; whilst in Trinidad I perceive that no less than 29 of such commissions have been bestowed.

In some cases it may be easily believed that a scattered population, or one which is subdivided by the mountainous or otherwise impracticable nature of the country, will require a larger proportion of magisterial agency than has been calculated upon in the distribution of the number of stipendiary magistrates sent out from this country; and in several instances it appears that the magistrates did not arrive in time, and that commissions were issued to supply their place, which, from a natural desire to show consideration for the parties holding them, may not have been recalled with promptitude when no longer necessary. Moreover, until experience should have shown in what manner the new system would work, every speculative estimate of the extent of the agency required must have been entertained with much doubt, and for security's sake a larger computation may have been preferred.

From whatever reasons these diversities of practice may have proceeded, I feel that the time has arrived when it is necessary to revert to the spirit of the intentions by which Parliament was governed in passing the Act for the Abolition of Slavery, and especially those clauses of it which provided for the establishment of a stipendiary magistracy.

It is not consistent with those intentions that the powers of a special magistrate should continue to be exercised by any person who has an interest in apprenticed labour; and it is only with great circumspection and in peculiar cases that the special commission should be given to parties who, though not interested in apprentice labour, have been habitually resident in the Colonies, and are in consequence unavoidably much connected with the colonial society.

I have, therefore, to instruct you to revoke, within the shortest time which will admit of the arrangements necessary to be made for transferring their duties, all commissions which shall have been granted to the former class of colonists; and I have further to direct, with respect to the special magistrates of the latter class, that you reduce their number as low as can be done consistently with the due execution of the law. In carrying into effect this instruction, you will take the utmost care not to occasion any unnecessary pain or irritation to the parties concerned. You will inform them that the measure is one of a general character, and taken in pursuance of the known views of Parliament, without reference to individuals, and upon a principle which, as it applies to human nature at large, ought not to give offence to any class of men.

men. You will at the same time convey to them the thanks of His Majesty's Government for their services, in all cases in which you may have reason to believe that those services have been honestly rendered. Despatch (H.)

If, after a careful reference to the experience of the past year, you should be decidedly of opinion that it will not be practicable to have the law duly administered in the ensuing season of crop, without an additional number of paid magistrates, in substitution for the local special magistrates, you will be pleased to report to me the grounds of your opinion; and in so doing you will have especial reference to the proportion of magistrates to population in Jamaica, where the Governor has declared the number of 58 to have been sufficient, even in the first year of the new system. If you consider a larger proportion to be required by any Island under your government, you will be pleased to state the difference of circumstances by which you conceive the demand to be justified. I transmit to you herewith, for your further guidance in considering the question, a copy of the recent correspondence between this Department and the Marquess of Sligo, as laid before Parliament, which will make you acquainted with the manner in which the apprenticeship system has been administered in Jamaica. *Vide* Paper No. 177, ordered to be printed 16 April 1835.

It is my purpose to seek from Parliament the power to augment the total of paid magistrates to such a number as will make the whole number of magistrates, in all the Colonies having apprentices, bear the same proportion to the whole apprentice population of those Colonies, that the number of paid magistrates in Jamaica bears to the apprentice population of that Island. This power of augmentation, however, His Majesty's Government will hold in reserve, to be used only in case they should be convinced, by specific reports from the Colonial authorities, that the increase cannot be dispensed with.

In the case of some Islands, where it has been already shown to the satisfaction of His Majesty's Government that a small increase at least is necessary, or will become so on the revocation of the unpaid commissions, additional magistrates will be sent out without delay.

I have, &c.

(signed) *Glenelg.*

(I.)

CIRCULAR DESPATCH, addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Sir, Downing-street, 12 July 1835. Despatch (I.)

IN order that His Majesty's Government may be enabled to compare the administration of the apprentice laws in different Colonies and Districts, it is their desire that the special magistrates should be instructed to keep records of all the punishments inflicted by their authority, distinguishing corporal punishments from others, and specifying, in each case, the amount of punishment and the nature of the offence. I transmit to you herewith a Specimen of the Returns of Proceedings upon complaints of slaves, required from the protectors in the Crown Colonies, under the laws for the melioration of slavery which were lately in force there. This specimen, *mutatis mutandis*, may afford some general guidance as to the kind of record which should be required of the special magistrates. I also enclose Forms of such summary Returns as I wish you to transmit monthly to me from each of the special magistrates, and of the Abstract which you will also be pleased to transmit monthly, for the purpose of exhibiting the general result of these summaries as regards each Island or Province at large. The record of proceedings in each case which comes before the special magistrates will enable the Governor or Lieutenant-governor to exercise the most complete superintendence over those officers; and in the fullest confidence that this superintendence will be effectual to every necessary purpose, I do not require that these records should be forwarded to the Secretary of State. They must, however, be transmitted punctually every month to the Governor or Lieutenant-governor, and, after due examination by him, be deposited in the public archives, so as to be producible at any period when His Majesty's Government may see cause to call for their production. Table A. Table B.

Despatch (I.)

duction. It is my wish that the summaries and abstracts should reach this office as regularly as possible; and for the purpose of better ensuring punctuality in the transmission both of the records and the summaries to the Governor or Lieutenant-governor, you will be pleased to direct that the salary of the stipendiary magistrates shall not be issued without your certificate that these documents, for the period for which the salary is claimed, or for a term not falling short of that period by more than one month, have been already placed in your hands.

I have, &c.
(signed) *Glenelg.*

FORM of RETURNS.

Form of Returns.

No. 1.—The name, age, sex, residence, and mode of employment of the slave by whom or on whose behalf the complaint was preferred.

No. 2.—The names of the owner or owners, and manager or managers of the slave, their places of abode, their callings or professions.

No. 3.—The time when, and the person through whom, the complaint was first preferred to, or first reached the protector.

No. 4.—The substance of the complaint.

No. 5.—The proceedings taken upon the complaint, with the date of each successive proceeding.

No. 6.—The names of the witnesses, if any, examined in support of the complaint, and the substance of the evidence of each witness.

No. 7.—Substance of the defence made by the accused party or parties.

No. 8.—The names of the witnesses, if any, examined in support of the defence, and the substance of the evidence of each witness.

No. 9.—The result of the proceeding, if terminated.

No. 10.—Explanatory remarks upon the case which could not properly be comprised under any of the preceding heads.

Name of Island, Province, or Government.

TABLE (A.)

EXHIBITING the Number and Effect of the RETURNS of PUNISHMENTS, received by the Governor or Lieut.-Governor, from the Special Magistrates, from the last day of the Month of to the first day of the Month of , 18 .

Name of Special Magistrate.	DISTRICT.	Total Number of Apprentices comprised in the District of this Magistrate.		Total Number of Punishments inflicted.	Total Number of Males punished.		Total Number of Females punished.	Average Number of Stripes in the Punishments by Whipping.	Maximum Number of Stripes in any one case of Punishment by Whipping.	Maximum of Severity in any one case of Punishment by Confinement.	Maximum of Severity in any other mode of Punishment.
		Males.	Females.		By Whipping.	Otherwise than by Whipping.					
									Signature of the Governor, Lieutenant-Governor, or Officer, administering the Government.		

Name of Island, Province, or Government.

TABLE (B.)

GENERAL RESULTS.

Total Number of Apprentices throughout the Island, Province, or Government.	Total Number of Punishments inflicted under the authority of Special Magistrates throughout the same.	Proportion per Cent. of Punishments to Apprentices.	Total Number of Males Punished.		Total Number of Females Punished.	The Average Number of Stripes inflicted in cases of Punishment by Whipping.	The Maximum Number of Stripes inflicted in any one case of Punishment by Whipping.	The Maximum of Severity in any one case of Punishment by Confinement.	The Maximum of Severity in any other mode of Punishment.
			By Whipping.	Otherwise than by Whipping.					

(K.)

Despatch (K.)

CIRCULAR DESPATCH, addressed by Lord *Glenelg* to the Governors of the West India Colonies, &c.

Sir, Downing-street, 15 July 1835.

I HAVE had under my consideration various representations which have been addressed to this Department on the subject of the inadequacy of the present allowance of 300 *l.* a year to the stipendiary magistrates. From these statements I am led to believe that the rate at which the salaries of these officers has been fixed is by no means calculated, in all instances, to afford them a sufficient remuneration for the duties they are required to perform.

Under this impression, I have felt myself called upon, in justice to individuals from whom such arduous and responsible duties are required, to take immediate steps for affording them such allowances, on account of the keep of horses and house rent, as the case would appear to demand. In carrying such intention into effect, I have not been insensible to the difficulty which exists of regulating such allowances by any general rule which should meet the justice of all cases. In some Colonies, that rate of remuneration which in others would afford a suitable provision to the officer, is rendered altogether inadequate by the high price which he is compelled to pay for the necessaries of life. Elsewhere the same consequence is produced by the charge imposed upon the officer in the form of travelling expenses. With a view to meet this difficulty, I have, in concert with the Lords Commissioners of the Treasury, fixed upon a sum which shall be considered as the maximum of allowance to be granted under any circumstances, leaving to the Governors of the several Colonies a discretionary power to regulate the scale of allowance according to the demands of each individual case. From the information I have been able to collect, it has been decided that 150 *l.* should be the maximum, in the proportion of 100 *l.* for house rent, and 50 *l.* for the keep of a horse.

In calculating the scale of allowance to each officer, it is hardly necessary that I should impress upon you the necessity of observing the strictest economy. You will bear in mind that these allowances should only be issued in cases where you are fully satisfied that they are absolutely necessary to enable the parties to obtain due accommodation, and to perform their duties effectively; and upon proof being adduced that the expense has been actually incurred for house rent or for the keep of a horse. You will authorize the payment of these allowances at the same periods as the salaries of the magistrates, but by distinct warrants or requisitions, addressed to the commissary on the station, and supported by certificates to show that the parties are duly entitled to them under the foregoing regulations. I have, &c.

(signed) *Glenelg.*

P.S. The issue of the above allowances is to take date from the 1st April last.

JAMAICA.

(continued.)

— No. 36. —

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 31 March 1835.

JAMAICA.

No. 36.

My Lord,

THE hurried manner in which a number of previously neglected bills are hurried forward on the last days of every session here, and the numerous erasures and interlineations which appear in the ingrossments, have prevented my remarking some enactments which I think objectionable, and which I have detected since they have been printed and delivered to me, about three weeks ago. This perhaps is hardly a sufficient excuse, but it is the fact; and having made those remarks since, I deem it my duty to submit them to you, in order that your attention may be drawn to them, and your decision, whatever it may be, made known to me.

The Act to which this despatch particularly alludes, and which being of the greatest consequence, I have taken up first, is "the Act in aid of the Abolition Act,"

Act," passed during the last session. It repeals clauses 27, 39, 44 & 68 of the original Abolition Act. The first clause to which I shall call your Lordship's attention is the 7th, which replaces the 27th. The alteration I object to there, is that the jurisdiction is thereby taken out of the hands of the special justice, as I consider has been provided by the original 27th clause. I cannot but think that much oppression may result from this change. The introduction also of the word "Saturday" into the 7th clause, which does not appear in the former one, appears to me to prevent the apprentices from going to market on any other day but Saturday, which I do not think is a very advisable restriction. The advertisement of the magistrates of Trelawny, which I enclose, is, I think, rendered legal by the insertion of this word; and it was in consequence of the idea I had formed on seeing that advertisement, that I was induced to compare the old Act, and Act in aid, as closely as I have done.

In the 13th clause, which supersedes the 39th clause, they have inserted the words "legally married," in order to prevent the apprentices having the advantages given to them by the term "reputed connexions" in the original Act, which being almost the only tie in the Island, and having been acted on in cases where a separation of such a connexion by removal has been attempted, has caused much displeasure amongst the proprietors and managers. I fear that this also opens the door to oppression, in an improper use of the clause. In the provision of the same clause they have inserted the words "if he shall think proper," with a view, as I think, of leaving it to the choice of the master whether he shall release the confined apprentice or not, contrary to the original law, which requires that no apprentice shall be confined for more than 24 hours without being either released or his case submitted to a special magistrate. Now such frequent instances occur of owners placing their apprentices in confinement for 24 hours, or indeed in some cases for a longer period, without any charge being brought against them, and these instances are so often only discovered by accident, that I am anxious that no incautious expression should give them any authority for a greater abuse of that power. I also object to the "nearest justice of the peace" having jurisdiction in this case. It was originally confided to the special justices, and it escaped me that it was taken from them solely. There are now quite as many special justices as the exigencies of the country require; and therefore I see no sufficient reason for the introduction of this power to the local magistrates. In clause 14, which supersedes clause 44, the whole of the provision has been repealed, and none re-enacted. The limit placed on the additional labour per week, being confined to 15 hours per week, has been thereby done away with. I see much objection to this omission. At the time the Bill passed, I disliked the "bilboes" being made a place of legal confinement; such a power having been in all times much abused, and not likely now to be less taken advantage of. Such are the points to which I see objection; but I think it right notwithstanding to say that I have consulted the Chief Justice, in whose opinion I have much confidence, and he does not feel as much opposed to them as I do; therefore am I perhaps in error; but such a conviction having reached my mind, it is my duty to make known to you. Should you think my view correct, and that you should disallow it, perhaps you would at the same time authorize me to give my assent to a Bill on the same principle, but not containing these defects which I have pointed out. With regard to the penal gangs on estates, I have some doubts whether it is expedient or not to allow them. The abuse of this power is guarded against by a clause I got inserted, No. 8; but as it is a measure of much value, if not allowed, I would beg as yet to give no opinion respecting them. I have as yet seen no cause to doubt the policy of clause 4, and therefore do not make any remark upon it. As far as my judgment goes, all the other clauses are unobjectionable. It might therefore be worthy of consideration whether the best line for your Lordship to adopt would not be, not to allow or disallow the Bill, but to make such remarks on it as you may think expedient, in order that amendments may be made on those particular points where you see objections: this would also give more time to watch the working of the penal-gang clause. The stealing of produce has got to an alarming extent, and I have directed the attention of the police to the necessity of watching this. On one police station near here, in about a fortnight, the police captured nearly a hogshead of sugar, which was all condemned by the magistrates.

I have, &c.

(signed) *Sligo.*

JAMAICA.

No. 37.

— No. 37. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Marquess of *Sligo*, dated Downing-street, 13 June 1835.

I HAVE received your Lordship's Despatch, dated the 31st March, containing various observations on the Acts passed by the Legislature of Jamaica in their last Session, and promising additional remarks of the same nature. I had already resolved on the advice which it would be my duty to tender to His Majesty respecting this series of laws, before your communication of the 31st March reached me. It has contributed very strongly to confirm my original impressions.

The Act for the amendment of the law respecting apprenticed labourers, is of far more considerable importance than any of those which received your Lordship's assent at the close of the last year. I do not wish to disguise the more than usual care and even scrupulosity with which I have thought it right to examine the provisions of this statute. Between His Majesty, the British Parliament, and the people of Great Britain, on the one hand, and the persons entitled to the services of the manumitted slaves, on the other, there may with little impropriety of language be said to exist a solemn compact, to the faithful performance of which either party is bound by the most sacred obligations. If, on the one hand, the payment of the compensation money is the inevitable duty of this country, it is not less clearly due from the Colonial Legislatures that they should strictly adhere to every one essential or valuable provision of those laws which have been accepted by His Majesty as an "adequate and satisfactory" performance of the condition which Parliament imposed upon them at the time of making the grant. For the Council and Assembly to retract any part of the offer deliberately made by themselves, and on the footing of which their right to participate in the compensation fund was established, would be an infringement of the original compact to which His Majesty could never assent. I have therefore perused this Act with a very careful reference to those by which it is preceded, and I will now convey to your Lordship the result of that comparison. The absence of all distinction of clauses in the transcript renders it impossible for me to quote them with the precision which would be desirable.

1st. If the owner of a plantation shall be disposed to abandon it, and shall give six months' notice of that design to the labourers on the estate, and to the nearest magistrate, the proprietor is to be relieved after the expiration of that period from all further obligation to maintain the labourers: they however are not to be discharged from their apprenticeship, but are to be removed from the abandoned plantation to some other estate, having however the power to select their own future employers from amongst the various candidates for their services. Agricultural labourers, however, are not to remove into the towns or to abandon their work in the fields, unless they can satisfy the special justice that they shall be able to maintain themselves by other methods. Apprenticed labourers refusing to be removed from the abandoned estates are to be punished as vagabonds. If your Lordship will refer to the 9th sect. of the Act of Parliament for the Abolition of Slavery, you will perceive that the removal of prædial apprentices from the plantations to which they had been attached, or on which they had been usually employed, on or previously to the 1st of August 1834, is expressly forbidden, except in the case of transfers made with the consent of two or more special justices, to some other estate belonging to the same employer, in the same Colony. I have found it impossible to reconcile with this provision the enactment to which I have referred: and your Lordship is aware that in the event of any repugnancy between the two, not merely the general principle of law, but the express terms of the 16th section of the English statute, declares that the Act of Assembly shall be "null, void and of no effect."

2d. I perceive it is enacted, that the courts of quarter sessions may take cognizance of offences committed by apprenticed labourers, in the same manner as in cases of free persons. The general rule I apprehend to be, that every misdemeanor committed by free persons is cognizable at the quarter sessions. If the intention be to render the apprentices amenable to the same tribunals for every misdemeanor which they may commit, then, as every disobedience to the statute

statute law under which they are placed is an offence of that character, the quarter sessions, or in other terms the local magistracy, will indirectly acquire that jurisdiction which has been studiously withholden from them by Parliament. If, on the other hand, the meaning be only that an apprenticed labourer shall be liable to be tried at the quarter sessions for any offence which could be committed by other free persons, and which, if so committed by them, would be cognizable by these courts, then the rule is unobjectionable, except in regard to the vagueness of the terms in which it is expressed.

3d. An apprenticed labourer found wandering as a vagabond, without a written permission from his employer, and unable to give a satisfactory account of himself, may by any justice of the peace be adjudged a vagabond and punished accordingly. The Act contains no words ascertaining the sense in which the expression "vagabond" is here employed. This omission ought to be supplied; for otherwise the simple fact of absence from the estate without the employer's consent, even during the leisure time of the apprentice, might subject him to these penalties. It is indeed declared that the rule is not to be "deemed or construed" to abridge or interfere with the free use by the apprentice of his leisure time; but whatever sense the interpreter of the law may assign to the rule, I perceive no construction of it which might not be attended with that injurious consequence which the Legislature themselves so plainly deprecate.

4th. The special magistrates are authorized to establish penal gangs on the plantations, which they may at pleasure break up, and transfer the offenders to the penal gang of the parish. The penal gang thus to be established on the estate must of course be subjected to a penal discipline, to be enforced by the employer or his subordinate agents; and while in that condition, the ordinary rules limiting the duration of the labour of the apprentices must of course be suspended. In other words, the employer will, as a minister of justice, assume over these persons the exercise of much of that invidious authority of which he was deprived by the Slavery Abolition Act. It appears to me that criminals of every class should undergo their sentences under the inspection and upon the responsibility of the proper officers of the law; and that there are strong objections to committing this charge, not merely to persons invested with no public office, but who have a strong immediate interest for enforcing the penalties of the law with undue severity, and for exacting immoderate labour. The moral effect of exhibiting bodies of apprentices working on the estates as penal gangs, under the immediate control of the planter or overseer, must be pernicious, and must tend to repress the growth of those feelings of mutual confidence between the employer and the employed which it is of the utmost consequence to cherish. It may further be remarked that the Act does not, in terms at least, provide in respect of time which the apprentice may pass in labouring for his employer's benefit in the penal gang on the estate; the apprentice is not also to be considered as a debtor to the employer; yet, adverting to the general terms of the former laws of the Island, this is a consequence which, in the absence of an express declaration to the contrary, would seem to follow.

5th. Any apprenticed labourer acting as a watchman and absenting his post, or being guilty of any neglect of duty by which the employer's property is damaged, is to make good the loss, or is to yield any amount of extra labour to his employer not exceeding 30 days, or is to undergo any number of stripes not exceeding 50. I cannot perceive the justice of this rule. A freeman who engages for his own profit to act as the guardian of the property of another may reasonably be called upon to indemnify the owner against such losses as his negligence may occasion. The contractor indemnifies himself against the risk, by the terms of the engagement. But a man who works by compulsion and for a bare subsistence, ought not to incur such damages. The punishment of the negligent watchman should be measured, not by the amount of the loss sustained by his employer, but by the amount of suffering presumably necessary to deter the offender himself and the witnesses of his punishment from the repetition of the offence.

6th. The plantation constable is authorized to secure and to place in confinement any apprenticed labourers not employed on the plantation, who may be found loitering there without the knowledge and permission of the employer. From the operation of this rule are excepted the wives of the apprentices "legally married." I presume that this apparently tautologous phrase is used

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in contradistinction to that of wives improperly so called, that is women living in a state of concubinage: therefore the rule would forbid an apprenticed labourer to admit his concubine into his hut, except with the assent of the proprietor. I fear that this rule has little or no tendency to promote the interests of morality. The long and lamentable disuse of marriage amongst the slave population of Jamaica has given birth to connexions between the sexes, which, however much to be lamented, must be borne with until they can be superseded by more legitimate unions formed under the influence of religious and moral culture. Such habits are certainly not to be eradicated by peremptory and unforeseen laws. Further, the apprentice has a strict legal right to receive into his hut such inmates or visitors as he may think proper, provided that nothing be done to endanger the public peace, or the good order of his own or any other plantation. He must be considered as a tenant paying rent for his occupation in the form of manual labour.

7th. The prohibition of apprenticed labourers attending or voting at any public meeting should have been confined to meetings of which the object or the proceedings were political. There is no good reason for excluding them from charitable and religious meetings, holden during their own leisure hours.

8th. The appeal from the special magistrates to the supreme or assize courts, would transfer to the local magistracy presiding in those tribunals a power which Parliament studiously reserved to the special justices. I should have thought the enactment unobjectionable had it merely ascertained the right of the supreme tribunals to set aside the decision of the special magistrates, for illegality or want of form: but the right of appeal goes far beyond this.

9th. After a preamble declaring that many plantations are destitute of sufficient strength for the confinement and safe keeping of violent persons who may commit offences; it is enacted that in every such case it shall be lawful to secure any such offender in the bilboes, "in the same manner as has heretofore been the custom." This indefinite language will afford shelter for the revival of many of those practices which prevailed under the old slave law of the Island. It is possible that the meaning of the Legislature may not be accurately represented by the words they have employed.

10th. Four sections of the Act of December 1833 are repealed; they are those designated in the printed copy of that Act by the numbers 27, 39, 44 & 60. In general it appears to me that the enactments thus to be revoked are properly selected for that purpose; but they contain some beneficial provisions which might have been conveniently left in force: at least I am unable to perceive what advantage is anticipated from rescinding them. I refer especially to the declaration respecting the right of the apprenticed labourers to resort to market and to places of public worship, and to enjoy the free use of their own time; to the declaration requiring the release of an apprentice after 24 hours' imprisonment, if a special justice cannot be procured in that time; to the rule that no employer must ever imprison an apprentice, without subsequently preferring a complaint against him for the offence which occasioned the imprisonment; to the clause respecting the flogging or beating of women; to the limitation of 15 hours in the whole in any one week, as the period of penal labour in the employer's service; and to the declaration that all penalties are to be recovered before a special justice by distress, and are to be applicable to the public service of the Island. The repeal of all these enactments will apparently deprive the law of some of its most important securities against abuse.

11th. This Act provides, that if, before any order shall be made for discharging a labourer from his apprenticeship on the payment of the appraised value of his service, it shall be proved that during the apprenticeship the labourer has been convicted of any robbery or theft, the justice must stay all proceedings until the expiration of three years from the time of the conviction. Without pausing to debate the justice of this regulation, it is enough for me to say that it is at variance with those provisions of the Act of Parliament which give to the labourers a positive right to purchase their discharge without any such qualification.

12th. The Act provides that if five or more labourers shall, without the written authority of their employer, proceed in a body or in a tumultuous or riotous manner from the estate to which they are attached, under the pretext of receiving redress of grievances, they are to be committed to the nearest gaol,

gaol, there to remain till the decision of the case; and if it shall be made to appear to the justices that such labourers had quitted their homes without justifiable cause, the males are to be whipped, and the females are to be placed in solitary confinement or worked in the penal gang. Now it is obvious that in general the smallest possible number of persons ought to quit the estate in a body, for the purpose of lodging complaints; but on the other hand, it is scarcely possible to draw so strict a line as is here proposed, without great occasional injustice. A complainant failing to prove the cause of his absence justifiable, is to undergo a severe punishment; yet that failure may be inevitable, if he is forbidden to take with him the witnesses, however numerous, who alone are qualified to prove the truth of his complaint.

13th. The discharge of an apprenticed labourer, after 24 hours' imprisonment by his employer's authority, is referred to the discretion of the employer, or to that of the nearest justice of the peace who is permitted to authorize the further detention of the labourer, until the attendance of a special magistrate can be obtained, or (according to the nature of the offence) to commit such labourer to gaol, to be dealt with according to law. The powers thus given to the ordinary magistracy are repugnant to the British statute, and invest them with an authority which Parliament has expressly forbidden them to assume.

14th. The special justices are authorized to direct "the reasonable and necessary corrections of juvenile delinquent apprentices," with a strap or switch; but no female of the age of 10 years or upwards is to be liable to any such correction. The word "juvenile" is so indefinite, as to leave the authority thus given to the magistrates destitute of any safe or certain limit. The judicial punishment of females by whipping, whatever may be their ages, is repugnant to the plain language of the Act of Parliament.

For these reasons, and adverting to the terms of your Lordship's Despatch No. 69, this Act will be disallowed by His Majesty in Council. Your Lordship will make generally known throughout the Island that the order of disallowance may be expected to arrive there by the next packet.

I cannot pass from the subject, without some further remarks suggested by the terms of the Despatch No. 69.

I infer that an opinion prevails in Jamaica, and is even entertained by your Lordship, that the Colonial Acts respecting apprenticed labourers have superseded the Act of Parliament in that Island. This, however, is a misapprehension which cannot be too soon or too distinctly removed. The 22d section of the British statute prescribes with minute care the method to be taken as often as any of the Parliamentary enactments are to lose their authority, and are to give place to others to be substituted for them by Acts of Assembly. But this course has not been pursued in reference to any of the Acts of the Jamaica Legislature. Every part of the Statute 3 & 4 Will. IV., c. 73, has the force of law in that Island. In the language of the 16th section, "any enactment, regulation, provision, rule or order in any Act of the Assembly [of Jamaica] contained, in anywise repugnant or contradictory to the Act of Parliament or any part thereof, is absolutely null and void, and of no effect."

Your Lordship will communicate to every special magistrate in Jamaica a copy of the preceding paragraph, for his guidance in the execution of his duty.

I regret that your Lordship was induced to assent to the Act on which I have commented, until you had carefully perused every part of it. The courteous feelings towards the House of Assembly which induced your Lordship to close the business of the Session, although some of the Bills were presented to you in an illegible form, might have deprived me of the benefit which I have derived from your Lordship's comments on this Act. In the ordinary course of business, it would, but for accidental circumstances, have been disposed of in the early part of last month. You will have the goodness to cause it to be made known to the proper persons, that in future it will not be in your Lordship's power to assent, on His Majesty's behalf, to any Act of which a clear transcript has not been laid before you for such a period as may be requisite for a careful examination of its contents.

This correspondence suggests the indispensable necessity of insisting that no Act be passed in Jamaica affecting the condition of apprenticed labourers,

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unless it shall either contain a suspending clause, or unless the period at which it shall be made to take effect in the Island shall be so remote as shall afford His Majesty in Council ample time for exercising His Majesty's prerogative of disallowance, if that course should be thought necessary. Your Lordship will consider this as an inflexible rule for your future guidance.

— No. 38. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated The King's House, St. Jago de la Vega, 27 March 1835.

No. 38.

IT is with considerable satisfaction that I am enabled to repeat to your Lordship the same favourable assurances as to "the general state of the Island" that it has been hitherto in my power to transmit to you. The apprentices, generally speaking, are working very industriously: in many instances, where they are paid by the quantity of sugar made, they are in the habit of keeping up the boiling-house work for the whole first five days of the week uninterruptedly, though their bargain with their masters may have been to work only for 18 hours per day. On many estates they work by spells, not having been offered wages, as the proprietors say they cannot afford to pay any in some cases; and in others, because the whole crop will be easily taken off without taking more than the legal time: the last instances are, however, rare. There are some few estates where they have refused to work at all for wages, but where they work very diligently during the legal hours. These refusals are here attributed to sectarian influence; but I have not as yet seen that satisfactorily proved. It is, however, a remarkable fact that plantation is precisely in the state I have above described, and that it is in that estate the Rev. Mr. interfered with the head estate constable, to prevent his punishing any of the apprentices; and for which he is now under prosecution. Their misconduct, or more properly speaking, their passive resistance, keeping within the limits of the law but going no farther, does look like the result of more serious consideration than generally falls to the lot of the apprentices here. I am however bound to say, that this is the only instance which has fallen under my observation where there appears to be any ground for the opinion. I have the honour to enclose to you a Return of the quantity of sugar made this year up to the 28th February, and up to that day last year; also of the days on which respectively the crop commenced. I have added, in as many instances as I have been able to procure it, the hours of labour of each crop per day. By it your Lordship will perceive that, for the number of hours of actual labour, nearly double the quantity of sugar has been made per hour this year, more than what was made during slavery; which satisfactorily I think proves, that in the energy produced by labour for wages, they will in future find a sufficient counterpoise to the loss of the time which they enjoyed under slave labour. By the next packet I will send home to you any farther reports I shall have by that time received. I find much use in asking for these returns, as I am able to call the special magistrates to account for any particular deficiency I may observe.

I have the honour also to enclose to your Lordship copies of letters received from nearly all the special justices; which, though they vary in the terms of their report as the circumstances of their respective districts require, in the main will be found, I trust, to justify my report. It is to be remarked, that the two parishes going on now the worst, as your Lordship will see by these letters, are St. James's and St. George's. The former is the parish where notoriously the greatest severities prevailed in all the past times of Jamaica, where the last rebellion principally raged, and where at this moment more violent party spirit is kept up, and I grieve to say is promoted by the vast majority of the principal and most influential people of the parish. This has been the scene of Mr. services; and although I must think that his system of entire abstinence from punishment of a corporal nature was peculiarly inapplicable in that district, (in consequence of the contrast being so very

very great from the former severity as to lead the negroes into an idea that their state was different from what it really is), it is my duty to confess, that at the commencement, he and Mr. deserved the greatest credit for their unceasing efforts to stem the extraordinary efforts that were made to keep up the old system.

With respect to the parish of St. George's, I have only to say that it has been the scene of Mr. exertions; and as the result has not been as favourable as he thinks it, I have the more to lament that so much severity should have been so uselessly adopted. I deprecate in the most anxious manner that gentleman's restoration to the magistracy. That the crop of the next year will be somewhat deficient I have reason to fear. Such has been the dread of not getting off this crop, that all the exertion which was formerly applied to the double object of taking the year's crop and preparing for the next year's, has been devoted to this year's service. That there may have been sound and good reason for this course, I am not prepared to contest: I am rather induced to think it was expedient, if not necessary; but I think that the apprentice has in most places now acquired such an avidity for money, as to remove from my mind the apprehension that any falling off in the crop of the year after next will be experienced.

Enclosure 1, in No. 38.

RETURN of the QUANTITY of SUGAR made up to the 28th February 1834 and 28th February 1835; distinguishing the Names of the Estates and Parishes, the Days on which the Crop commenced, the Increase and Decrease, and the Hours of Labour of each Crop per day.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			
Windsor Forest	St. David's	2 Dec. 1833	49 ½	15 Dec. 1834	38	-	11 ½	24	13	Superior.
Lloyd's	ditto	9 Dec. –	73	8 Dec. –	60	-	13	24	16	Equal.
Green Wall, 4 ½ days	ditto	26 Nov. –	68	8 Dec. –	52	-	16	24	24	Equal.
Albion	ditto	2 Nov. –	158	1 Dec. –	135	-	23	15	12	Worse.
Windsor Castle	ditto	9 Dec. –	47	2 Dec. –	30	-	17	24	14	
Norris's	ditto	10 Feb. 1834	30	9 Dec. –	49	19	-	24	13	Superior.
River Head	ditto	14 Nov. 1833	18 ½	1 Dec. –	25	6 ½	-	24	14	Superior.
Eolus Valley	ditto	20 Dec. –	75	1 Dec. –	68	-	10	24	24	Equal.
Airy Castle, 5 days	St. Andrew's	8 Feb. 1834	30	15 Feb. 1835	16	-	14	20	9	
Constant Spring, 4 ½ days	ditto	18 Jan. –	58	11 Jan. –	42	-	16	18	8	
Cherry Garden	ditto	18 Jan. –	40	16 Jan. –	25	-	15	16	13	
Golden Spring, 4 ½ days	ditto	1 Feb. –	30	25 Jan. –	36 ½	6 ½	-	17	8 ¼	
Maresty	ditto	1 Feb. –	21	13 Jan. –	41	20	-	14	14	
Molynes	ditto	1 Feb. –	21	18 Jan. –	31	10	-	16 ½	16	
Norbrook	ditto	25 Jan. –	21	8 Feb. –	14	-	7	16	13	
Shortwood, 5 days	ditto	1 Feb. –	17	8 Feb. –	13	-	4	18	9	
Spring	ditto	22 Jan. –	18	6 Feb. –	10	-	8	16	13	
Pembroke Hall	ditto	1 Feb. –	18	1 Feb. –	20	2	-	14	14	
Temple Hall, 5 days	ditto	15 Feb. –	28 ½	1 Feb. –	30	4 ½	-	18	9	
Waterhouse, 5 days	ditto	1 Feb. –	25	1 Feb. –	24	-	1	18	9	
Petersfield, 5 days	Westmorland	10 Dec. 1833	113	5 Jan. –	96	-	17	24	24	
Lincoln	ditto	10 Dec. –	48 ½	14 Dec. 1834	49 ½	1	-	24	24	
Shrewsbury, 5 days	ditto	12 Dec. –	139 ½	5 Dec. –	150	10 ½	-	24	24	
Masemure	ditto	29 Dec. –	99	1 Jan. 1835	66	-	33	24	Irreg[r].	
Friendship & Greenwich	ditto	12 Dec. –	104	18 Dec. 1834	97	-	7	24	24	
Moreland	ditto	16 Dec. –	57	16 Dec. –	70	13	-	24	24	
Mint	ditto	16 Jan. 1834	104	2 Jan. 1835	106	2	-	24	24	
Retreat	ditto	8 Jan. –	112 ½	5 Jan. –	102	-	10 ½	24	24 *	* Irreg[r].
Spring Garden	ditto	15 Jan. –	79	7 Jan. –	93	14	-	24	24	
Prospect	ditto	2 Dec. 1833	143	8 Dec. 1834	104	-	39	24	Irreg[r].	
Blue Castle	ditto	13 Dec. –	55	7 Jan. 1835	51 ½	-	4 ½	24	Irreg[r].	
Medgeham	ditto	6 Jan. 1834	62	7 Jan. –	43	-	21	24	9	
Cocoa Walk	St. David's	20 Jan. –	32	7 Jan. –	20	-	12	21	15	Equal.
Serge Island	St. Thomas in the East	1 Jan. –	70	1 Jan. –	42	-	28	24	16	
Georgia, 5 days	ditto	1 Jan. –	39	1 Jan. –	36	-	3	24	16	
Creighton Hall, 5 days	ditto	1 Jan. –	80	1 Jan. –	76	-	4	24	24	
Coley, 5 days	ditto	1 Jan. –	53	1 Jan. –	45	-	8	24	16	
Garbrand Hall	ditto	18 Nov. 1833	123	18 Nov. 1834	122	-	1	24	16	

(*continued*)

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			
Blue Mountain	St. Thomas in the East	1 Jan. 1834	60	1 Jan. 1835	49	-	11	18	16	
Hall Head, 5 days	ditto	1 Jan. –	78	1 Jan. –	48	-	30	24	16*	- * Mill stopped a week.
Golden Valley	ditto	10 Dec. 1833	41	3 Nov. 1834	50	9	-	24	16	
Whitehall	ditto	1 Jan. 1834	16	15 Dec. –	25	9	-	24	18	
Buckingham, 5 and 6	ditto	14 Jan. –	56	1 Jan. 1835	16	10	-	24	18	
Latium	St. James's	7 Dec. 1833	160	6 Dec. 1834	109 ½	-	50	23	20	
Orange	ditto	6 Dec. –	28 ½	6 Dec. –	11 ½	-	17	23	20*	- * No works.
Belvidere	ditto	1 Feb. 1834	38	10 Jan. 1835	31	-	7	23	20	
St. Jago	Clarendon	1 Jan. –	55	1 Jan. –	44	-	11			
St. Toolies	ditto	1 Jan. –	32	1 Jan. –	14	-	18			
Clarendon Park	ditto	1 Jan. –	48	1 Jan. –	36	-	12			
Whitney	ditto	1 Jan. –	70	1 Jan. –	76	6				
Denbigh	ditto	1 Jan. –	51	1 Jan. –	76	25				
Hulse Hall	ditto	1 Jan. –	39	1 Jan. –	50	11				
Parnassus	ditto	1 Jan. –	64	1 Jan. –	99	35	-	24	18	
Main Savanna	ditto	1 Jan. –	19	1 Jan. –	18	-	1			
Rozelle	St. Thomas in the East	1 Jan. –	70	24 Jan. –	40	-	30	520 hours 1835. 1,296 hours 1834.		
Belvedere	ditto	14 Jan. –	50	5 Jan. –	80	30	-	588 hours 1835. 1,224 hours 1834.		
Morant	ditto	1 Jan. –	69	8 Dec. 1834	50	-	19	600 hours 1835. 1,100 hours 1834.		
Stanton	ditto	2 Dec. 1833	65	1 Dec. –	63	-	2	1,200 hours 1835. 1,677 hours 1834.		
Pembroke Hall	ditto	14 Nov. –	55	18 Nov. –	52	-	3	1,284 hours 1835. 2,832 hours 1834.		
Nutts River	ditto	2 Dec. –	87	22 Sept. –	67	-	20	960 hours 1835. 1,272 hours 1834.		
Montpelier	ditto	9 Dec. –	63	24 Nov. –	69	6	-	1,584 hours 1835. 1,944 hours 1834.		
Lyssons	ditto	1 Jan. 1834	130	12 Jan. 1835	64	-	66	24	16	
Retreat	ditto	1 Dec. 1833	70	20 Oct. 1834	60	-	10	16	9	
Oxford	ditto	19 Nov. –	40	24 Nov. –	32	-	8	16	9	
East Prospect	ditto	20 Dec. –	58	9 Dec. –	46	-	12	24	18	
Leith Hall	ditto	13 Feb. 1834	19	12 Jan. 1835	18	-	1	16	9	
Cardiff	ditto	8 Dec. 1833	59	10 Dec. 1834	46	-	13	15	9	
Clifton Hill	ditto	9 Dec. –	54	26 Nov. –	36	-	18	15	9	
Harbour Head	ditto	9 Dec. –	55	29 Dec. –	33	-	22	16	11	
Roehampton	St. James's	6 Jan. 1834	71	6 Jan. 1835	40	-	31			
Spring Garden	ditto	16 Jan. –	43	13 Jan. –	27	-	16			
Welcome	Hanover	13 Jan. –	44	30 Dec. 1834	40	-	4			
Haddington	ditto	13 Jan. –	37	5 Jan. 1835	32	-	5			
Adelphi	St. James	29 Jan. –	33	19 Jan. –	42	-	9			
Roaring River	Westmorland	1 Jan. –	96	29 Dec. 1834	65	-	31			
Fort William	ditto	1 Jan. –	60	29 Dec. –	57	-	3			
Prospect	ditto	1 Jan. –	55	7 Dec. –	45	-	10			
Fontabelle	ditto	19 Jan. –	40	5 Jan. 1835	33	-	7			
Windsor Forest	ditto	13 Jan. –	32	12 Jan. –	27	-	5			
Geneva	ditto	1 Jan. –	40	29 Dec. 1834	22	-	18			
Camp Savanna	ditto	12 Jan. –	35	19 Jan. 1835	30	-	5			
Caswell Hill	Vere	18 Nov. 1833	88	18 Nov. 1834	98	10	-			
Broeziletto	ditto	3 Feb. 1834	38	7 Jan. 1835	68	30	-			
Hill-side	ditto	3 Feb. –	39	7 Jan. –	73	-	34			
Harmony Hall	ditto	1 Feb. –	28	9 Dec. 1834	48	20	-			
Pindar's Hall	Clarendon	20 Jan. –	26	7 Jan. 1835	22	-	4			
Mullet Hall	ditto	16 Dec. 1833	43	16 Dec. 1834	32	-	11			
Longueville	ditto	30 Dec. –	53	29 Dec. –	40	-	13			
Four Paths	ditto	29 Jan. 1834	15	7 Jan. 1835	25	10				
Fountain	ditto	10 Dec. 1833	18	27 Jan. –	10	-	8			
Spring Vale	St. John's	13 Jan. 1834	41	8 Jan. –	55	14				
Mountain River	ditto	15 Jan. –	30	12 Jan. –	18	-	12			
Rose Hill	Clarendon	18 Dec. 1833	60	29 Dec. 1834	53	-	7			
Lodge	St. Dorothy's	10 Feb. 1834	36	5 Jan. 1835	99	63				
Fairfield	St. James	11 Jan. –	99	16 Jan. –	64	-	35	23	20*	* Much rain this year stopped the mill a fortnight.
Turin	ditto	18 Jan. –	93	17 Jan. –	72	-	21	23	20	
Kirkpatrick Hall	ditto	18 Jan. –	46	24 Jan. –	32 ½	-	13 ½	23	20	
Tryall	ditto	1 Dec. 1833	4	19 Jan. –	18	14	-	23	20	
Elim	Westmorland	2 Jan. 1834	86	2 Jan. –	65	-	21	24*	16	- * No Saturdays 1834.
Bogue	ditto	2 Jan. –	93	2 Jan. –	56	-	37	24	16	
Oxford	ditto	2 Jan. –	63	2 Jan. –	67	4	-	18	16	
Island	ditto	2 Jan. –	75	2 Jan. –	53	-	22	24	16	
Two Mile Wood	ditto	2 Jan. –	64	2 Jan. –	39	-	5	24	16	ditto.
Vauxhall	ditto	2 Jan. –	17	2 Jan. –	10	-	7	24	16	ditto.
Hopewell	Trelawny	9 Dec. 1833	64	1 Dec. 1834	58	-	6			

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			
Houghton Grove	Hanover	23 Dec. 1833	72	8 Dec. 1834	81	-	11			
Unity Hall	ditto	13 Jan. 1834	40	5 Jan. 1835	38	-	2			
Seven Rivers	ditto	6 Jan. –	82	20 Jan. –	37	-	45			
Montpelier	St. James	7 Jan. –	148	14 Jan. –	54	-	94			
Rose Hall	ditto	1 Mar. –	-	17 Feb. –	10	10				
Crawle	ditto	24 Feb. –	5	26 Jan. –	13	8				
Bampton Bryan	Trelawny	17 Feb. –	20	23 Feb. –	7	-	13			
Bryan Castle	ditto	17 Feb. –	19	23 Feb. –	6	-	16			
Arcadia	ditto	17 Feb. –	19	23 Feb. –	8	-	11			
Filstone	ditto	8 Feb. –	31	26 Jan. –	35	4		15	16	
Stewart Castle	ditto	24 Feb. –	7	18 Feb. –	7					
Trinity	ditto	8 Feb. –	36	1 Feb. –	18	-	18			
Roslin	ditto	15 Mar. –	-	21 Feb. –	3	3				
Pemberton Valley	ditto	6 Jan. –	65	26 Jan. –	28	-	37			
Llanrumrnys	ditto	8 Feb. –	43	16 Jan. –	33	-	10			
Kildare	ditto	8 Feb. –	29	2 Feb. –	24	-	5			
Tulloch	St. Thomas in the Vale	13 Jan. –	90	19 Jan. –	42	-	48	24	16	
Seven Plantations	Clarendon	21 Jan. –	56	31 Dec. 1834	66	10	-	24	16	
Gibbons Estate	Vere	15 Dec. 1833	51	1 Dec. –	72	21	-	24	16	
Mount Olive	St. Thomas in the Vale	11 Dec. –	61	8 Dec. –	40	-	21	24	16	
Trout Hall	Clarendon	6 Jan. 1834	80	5 Jan. 1835	55	-	25	24	16	
Mears	ditto	6 Jan. –	60	5 Jan. –	24	-	26	24	16	

Enclosure 2, in No. 38.

Copies and Extracts of LETTERS from Special Justices.

Enclosure 2, in No. 38.

Sir, Savanna-la-Mar, 17 March 1835.

Agreeable to your circular of the 14th instant, I beg leave to state, the properties which I visit, 22 in number, appear to be doing extremely well, and the managers seem generally satisfied; there is only one property which decline working for wages, arising more from an idea of getting the overseer discharged than from any other bad feeling, with whom I cannot say what cause they can have for being discontented; others work cheerfully, as Shrewsbury, Petersfield, Mesopotamia, Cornwall, Bath and George's Plain. On some estates they do not find it requisite to hire them in their own time, or I am of opinion that they would work as well as those now working. The disposition and conduct of the negro is, I think, regulated much by the head people on the estates; as in instances where it has been requisite to dismiss or punish those holding head situations, much alteration for the better has followed. The complaints are certainly less frequent, as I have visited 21 properties during the week, on 14 of which there has been no complaints whatever, either by master or apprentice.

I have, &c.
(signed) *T. M. Oliver*, Special Justice.

Sir, Chapelton, 16 March 1835.

In answer to your circular of the 14th instant, No. 1,634, I have the honour to statefor the information of his Excellency the Governor, the perfect submission and good conduct of the apprentices in the Upper District of Clarendon, including more than 50 estates, and a negro population of at least 10,000. The apprentices are working willingly for wages on every property requiring their extra services, and I know them to be most anxious to hire themselves on the estates where they are well used and regularly paid. I can also state, that under the new system these people have a proud shame in regard to punishment that never before existed. To the formality of trial, the written evidence upon oath, and the serious, fair and patient manner with which such matters are conducted, may be attributed this favourable change. If complaints from managers have not been considerably diminished, it may be fairly traced to a season of required exertion, termed "crop-time;" but I can with confidence desire you to assure his Excellency that the hospitals are not so full as heretofore at the same season, and that the house of correction, though open to the whole parish of Clarendon and such adjoining parishes as have not yet tread-mills erected, has at present not more than 10 inmates, whereas the average number previously to the 1st of August was, at the lowest calculation, 50.

I have, &c.
(signed) *R. Standish Haly*, Special Justice.

JAMAICA.

Sir, Amity Hall, 18 March 1835.

I BEG leave to acknowledge yours of the 14th, relative to the state of my district. I feel much pleasure in being able to report, for his Lordship's information, that the feelings between master and apprentice in this parish are most satisfactory. I also beg leave to state that a great proportion of the apprentices are disposed to work for wages. Those that are not working for wages have their usual allowances which they were in the habit of receiving previous to the 1st of August, and appear quite content with, and in some instances have given up a proportion of their time to obtain the same. I have also to state for his Lordship's information, that complaints are becoming less frequent and a steadier rate of work established in this parish, and the greater part of the apprentices appear contented, and are working with more cheerfulness than they were some time back; which enables the managers to take off a greater proportion of sugar during the 18 hours than ever they had done before for some years past, and I am firmly of opinion that the crop will be taken off much sooner than could have been anticipated.

I have, &c.

(signed) *James Nolan*, Special Justice.

REPORT of the State of the Parish of Manchester.

CARPENTER'S MOUNTAIN DISTRICT.

THIS district is chiefly in coffee, comprising also some pasturage lands and considerable quantity of wood not hitherto brought into cultivation. There is on many of the properties a large proportion of invalids, who will never be fit for labour, and most of whom, at the expiration of the apprenticeship, will be only fit for inmates of a public hospital. The majority of the apprentices are labouring very fairly where the property is well managed; much indeed depends on this; where there are clever superintendents, there are no complaints. Where the master is of a peevish disposition and averse to the system, not to be satisfied by anything, the collision with the negroes is frequent. The former are always the most troublesome, and, as in all other communities, generally incite to mischief. I find that where the overseer is also the manager, there are fewer complaints; I might say hardly any. Where an attorney interferes, the people seem not so well off. A very clever overseer, who is also the manager, asserted "that his people did under the present system three weeks' work in a fortnight." The great improvement that has taken place in the moral character and habits of the negroes must be productive of much benefit. The clergyman in this part of the parish has done much to ameliorate their moral conduct, and good results must be anticipated where the ministers of religion are attentive to their parishioners. The negroes are very attentive and eager for religious instruction; they are generally harmless and inoffensive, and of that organization of temper which is not likely to lead to any great exertion, either mental or bodily.

Working in their own time, they expect 1 *s.* 6 *d.* sterling a day, a rate of wages much too high for a planter to afford. There seems no indisposition to labour for such remuneration, but a negro can make so much out of his own time by raising provisions, corn and small stock, that he has no inducement at present to devote it to the service of his master. Any negro will acknowledge that he can make 2 *s.* sterling a day by his negro grounds for the whole week, if allowed to take the time to himself. This gives the produce of his land and labour about 30 *l.* sterling per annum, a very handsome competency for a labouring man, besides requiring little exertion or labour; and this I consider the best commenting I can offer on the subject of free labour.

The complaints are chiefly frivolous ones, most of them as regards house servants, and such as occur daily in European society.

In field labour they are principally against the women, for insolence to the constables and setting their orders at defiance.

I see no inclination to passive resistance, nor any dissatisfaction on the part of the apprentices as to the new system of labour.

In fact, I have every reason to believe they are inclined to view the administration of justice under the Abolition Act very favourably. In so stating, I feel it my duty to offer my humble approbation of the straighforward disinterested manner in which Mr. Colebrooke has adjudicated all cases, and which seems to be equally appreciated both by the apprentices and the planter. There are, of course, some bad characters in so large a community, whose absence from the country would be highly beneficial to its interests.

I have, &c.

(signed) *Arthur Welch*, Special Magistrate.

My Lord, Port Royal Mountains, 19 March 1835.

I HAVE the honour to acknowledge the receipt of Circular No. 1,634, and in reply have to report that my district is particularly orderly and quiet. The apprentices are working willingly and effectively for wages, wherever offered, and I have not heard of a single instance of a refusal to work for hire throughout the parish. A great many plantations are getting off their crops without any extra labour, notwithstanding the diminution of the hours of labour, as compared with the old system. I find the apprentices universally obedient, industrious and cheerful, wherever a proper system of discipline, combined with liberality

rality and kindness, is acted upon. On a few properties, where the managers continue to irritate and harass the apprentices, and infringe on their rights, they are, as might be expected, discontented and sullen. Complaints are much less frequent than before: those against apprentices are chiefly for loss of time in turning out to work in the morning; a few for deficiency of labour, and petty instances of impertinence, and trifling thefts. Complaints of apprentices against their managers, are chiefly for wanton imprisonment in the dungeon for trifling offences, and often no offence at all, sometimes without food; want of proper attention in sickness; confinement in hospitals; keeping the gangs at work beyond legal hours; and various matters arising out of the rearing of children. If the rights and privileges of each party were more distinctly specified, I am persuaded there would be very few complaints on either side.

I have, &c.
(signed) *A. S. Palmer.*

My Lord, St. Elizabeth, 24 March 1835.

In obedience to the circular of the 14th, which by mistake did not reach me till Saturday, I beg to report, that in the part of this extensive parish where my duties are performed, the behaviour of the negroes and the state of labour are most satisfactory. Your Excellency is aware that my residence here is but recent; I have however been on all the principal estates within my district, and on some more than once. From the greater number not a single complaint has been made. Of the few cases of delinquencies among negroes which have yet come before me, scarcely one has been of a serious nature. Their general disposition is admitted to be good. I am assured that they not only give the time the law requires, but give a fair portion of work, and do it with a good degree of cheerfulness. No instance has I believe occurred in this quarter of their refusing to work for wages: at any rate they are doing it now, whenever required; and it is within my knowledge that they are even soliciting to be so employed in their own time. Their free labour has more than once been pointed out to me with expressions of approbation at the manner in which it had been performed. It has happened to me several times to see them paid; and I observed with pleasure, that instead of any murmuring at the rate of wages, at first a rather common occurrence, they drew up for "the cash," as they emphatically term it, with their very best looks and best manners. They are capital reckoners of what they have to receive; I would almost defy any one to cheat the most stupid among them out of the smallest fraction that was their due. They are characteristically fond of money. Under a state of things so encouraging, it is not a matter of surprise to find one and another of those among the proprietors and managers who have candour enough, admitting that their apprehensions of the mischievous consequences of the great change have not been realised; that in fact they begin to have a good opinion of things after all, and believe it will be still possible to live at peace, and make capital productive, even in Jamaica. Such a strain of remark I have repeatedly had the pleasure to hear, in the course of my calls upon some of the most influential persons of this beautiful and extensive parish. I have some reason for believing that, as respects both the parish in which I spent the first months of my official labours, and that to which your Excellency, in compliance with my request, has done me the favour to remove me, the first year of the apprenticeship will afford more gratifying pecuniary results than some of its predecessors, instead of being, as many had predicted it would be, altogether ruinous. I am requested to furnish a brief report; but however concise, I feel it would be imperfect did I not express my persuasion, that to the instructions and influence of the rector of the parish, and one or two other exemplary clergymen, aided as they have been in their general purpose by the quiet, persevering, self-denying zeal of the Moravian brethren, must this most gratifying state of things among the negroes be in no small degree attributed.

I have, &c.
(signed) *J. Daughtrey.*

Sir, Port Antonio, 16 March 1835.

I have the honour of acknowledging the receipt of your (circular) letter, dated the 14th instant, requiring a concise report of the state of this district; in reply to which I beg leave most respectfully to state, for his Excellency the Governor's information, that I trust my weekly reports for the last four or five months will afford the very best evidence of the satisfactory operation of the new system in this district (and parish) of Portland, with only a very few exceptions of properties, which had long previous to the 1st of August been under very ill management. I have for several months had comparatively very little trouble.

I have also the satisfaction of being enabled to state that the apprentices on almost all the principal estates in this district are working (seeming) cheerfully for hire; and I have good cause to believe the whole would have done so, were it not for a suspicion inherent in the negro mind, that they would not be fairly dealt with by their masters. This suspicious feeling is now however fast dying away; and I do most sincerely and conscientiously believe that, with only a little management, the whole of the apprentices would work extra hours at what may be deemed reasonable wages, viz. 2*d.* currency per hour, or a spell say of six hours for 1*s.*, and in that proportion for a longer time.

In conclusion I have only to state, as may be seen in my weekly reports, that (although I regularly

JAMAICA.

I regularly visit them) on at least two-thirds of the properties in this district I find nothing to do in my judicial capacity, both masters and apprentices appearing satisfied with each other.

I have, &c.
(signed) *Donald MacGregor*, Special Justice.

EXTRACT of a LETTER from Mr. *Oliver*, Special Justice.

My Lord, Savanna-la-Mar, 17 March 1835.

I HAVE the honour to state, for your Lordship's information, that the district I visit appear to be going on very well, and, with one exception, working for hire where they have been required to do so.

EXTRACT of a LETTER from Mr. *Thomas*, Special Justice.

My Lord, Orange Hill, St. Mary's, 18 March 1835.

IN reply to your Lordship's circular (No. 1,634) of 14th instant, I beg leave most respectfully to state, that as far as my remarks and inquiries have been made in this district, I am enabled to report favourably of the orderly temper and disposition of the apprentices; but their unwillingness to work for wages is, I am constrained to say, very general.

Sir, Old Harbour Market, 18 March 1835.

IN reply to the Government circular of the 14th instant, I beg leave to say, that so far as respects the general behaviour of apprentices, and the reciprocal feelings between them and their masters, I consider the state of my district to be highly satisfactory. Unfortunately, however, the working for wages by no means proceeds to the extent that is called for the wants of the country. Of 14 estates only five are working for wages, and these for nothing beyond a short number of hours in the week. This unfortunate circumstance is caused by no disinclination on the part of the negroes to engage themselves for wages, but they ask more than the managers will give. The apprentices now engaged in extra labour receive no more than from 1 *d.* to 1½ *d.* an hour: would the managers offer from 2 *d.* to 3 *d.*, I have no doubt that almost every individual negro in the district, male and female, could be induced to work extra time.

On my expressing to several managers an earnest hope that they would find it right to give the wages required by the negroes, their answer invariably has been, that the non-payment of the compensation money renders it impossible, otherwise much advantage would accrue to estates in labour from 2 *d.* to 3 *d.* an hour. Here then is the embarrassing situation in which a great part of the Island is placed. The proprietors complain that they are threatened with a heavy misfortune, in consequence of their not having yet received any compensation for the part of their property that was taken from them on the 1st of August. It seems to be universally admitted that the great delay in the taking in of the crop of this year, which will be occasioned by the circumstance of so large a proportion of the negroes not working extra time, will keep cultivation so far back as to cause a calamitous falling off in next year's crop.

But with regard to the present state of this district, I beg to repeat that it is perfectly satisfactory. The inability to come to terms for extra labour produces no sort of ill feeling between the masters and apprentices; the latter are working the time required by law cheerfully and industriously, and the number of complaints now is decidedly less than towards the commencement of the apprenticeship, besides being upon the whole of a less serious character.

I have, &c.
(signed) *Alexander N. Macloud*, Special Magistrate.

EXTRACT of a LETTER from Dr. *Palmer*, Special Justice.

My Lord, Port Royal Mountains, 17 March 1835.

THE district generally is remarkably quiet; the apprentices are working well. The crops are at least two-thirds over, and very little more difficulty has been experienced in getting them in than was formerly. At Lucky Valley the overseer tells me the gang, in cleaning a piece of coffee, took the other day 906 hands only, to do what 896 hands did prior to the 1st of August, making only the difference of 12 hands under the new system.

Sir, Saxham-hill, Hanover, 17 March 1835.

IT affords me much pleasure to be able to inform his Excellency the Governor, through you, that the general state of my district, containing 31 properties, with a population of about 8,000 apprentices, is very satisfactory.

The majority of the apprentices on my arrival in the district seemed very reluctant to work in their own time for wages, and the few who did work exacted a very high price for their

their services. Affairs in this respect are now changed, for on some estates the apprentices are working for 1 *d.* and 1½ *d.* per hour; and it is my impression that before crop is over this scale of remuneration for labour will be pretty generally accepted by them. In respect to their conduct, I must say that as far as my observation goes there is a change for the better, and complaints against them by their employers are decidedly on the decrease.

I have, &c.
(signed) *J. Odell*, Special Justice.

My Lord, Aylmer's, St. John's, 18 March 1835.

In obedience to your Excellency's commands of the 14th instant, requiring a concise report of the present state of the parish of St. John's, I have the satisfaction to inform your Lordship, that the apprentices throughout the district are tranquil and orderly, affording their employers a fair proportion of labour. Complaints have latterly been fewer, and offences of a less glaring description. Thefts, at first so frequent, are now of rarer occurrence.

The habit of working for wages is on the increase. The Lloyd's negroes have come round, others still hold out; where they refuse to do so it seems to arise from some deliberate resolve which they will not avoid, perhaps ill-will to their master or manager. On the estates where hire is taken the paid labour is performed with alacrity, and volunteers often offer themselves, who are manifestly disappointed should the overseer have no occasion for their services.

I have, &c.
(signed) *E. D. Baynes.*

My Lord, Eastern District, St. Andrew's, 19 March 1835.

In reply to your Excellency's circular of the 14th instant, I beg to state, that on all the sugar estates in my district the people are working for wages for their extra time. The higher allowance I hear of is 2½ *d.* per hour. They are working cheerfully, and I understand quite as well, if not better, than they did before the 1st of August.

On the coffee mountains they are without exception working well, when the overseers are persons of good feelings and unaffected by prejudice against the new laws: the obstacles are of their own creating, and seem to me to be less and less every day. Generally, I must say, this population is as quiet, orderly and laborious, considering the climate, as any I know in England; or there is less of poverty and violation of labour on the part of the labouring population.

I must remark that very little trouble has been taken to give Christian instruction to the people. The constables are, as far as I know, without exception, unable to read in their bibles.

I have, &c.
(signed) *S. Bourne*, Special Justice.

My Lord, Torrington Castle, 24 March 1835.

With reference to the circular, No. 1,634, which I received on the 19th instant, I have the honour to inform your Excellency, that I repaired to the different estates named in my report, which is forwarded this day to the King's-house; and I am glad to add that the negroes show every inclination to perform their labour with honest good will, and that they likewise appear very glad to work for wages when applied to.

I have further to state for your Excellency's information, that both planters and overseers, wherever I visited, reported the conduct of the negroes in a very favourable light; and upon some estates the negroes collectively told me that they had nothing to complain of, except that their provision grounds were not inclosed by fences, and therefore they were trespassed on.

I have, &c.
(signed) *J. Reynolds*, Special Magistrate, St. Elizabeth's.

Sir, Kingston, 16 March 1835.

I have the honour to acknowledge the receipt of your circular, No. 1,634, and beg leave to state, that in my county, which I inspect monthly, the apprentices in general work remarkably well, and are in most cases, where the special magistrate acts judicious, willing to sell their time, particularly when the overseer is on the spot and pays them in silver; but so little faith have they in all that is done by their former masters, that if once put off, it is with much difficulty they can be got to work again.

With respect to complaints becoming less frequent, this is remarkably so, particularly where the magistrates do their duty with strict impartiality, avoiding both extremes; nor do I ever think it necessary to give more than 25 stripes, provided those are given with a proper lecture; the women appear to give the most trouble.

JAMAICA.

Respecting the whole working of the system, I am confident that it far exceeds the expectations of the most sanguine.

I have, &c.

(signed) *Gilmore D. Gregg*, C. Insp. and Special Justice.

REPORT by the Special Magistrate for the Parish of St. Thomas in the Vale, 16 March 1835.

In this parish there are 25 sugar estates, four pens, 34 extensive coffee plantations, five estates where the apprentices are usually employed as jobbers, and a great number of small properties yielding coffee, pimento and provisions; the apprentices exceed 11,000.

It is upon the sugar estates alone that any proper attempt has been made to induce the apprentices to work for hire during their own hours. In the outset there was great delay in proposing terms upon the part of the proprietors, who were perhaps individually apprehensive of offering too high wages, as there seemed to be no generally concerted measure: on the other hand, the apprentices also were probably afraid of accepting too low wages. Another ground of difficulty may have arisen from a desire upon the part of the apprentices of several estates to reserve to themselves the half Fridays, or the alternate Fridays, as specified by the Abolition Act; although in other respects they were willing to work 16 hours each day during crop. But from whatever cause it may have originated, it is certain that the agreements to work for hire were not generally proposed until crop was just commencing, and in some instances even after crop had actually begun.

On many of the estates the apprentices have agreed to work extra hours, in consideration of receiving the old allowances of salt provisions, clothing and other indulgences, which materially exceed the allowances fixed by the last Slave Act. On other estates they have agread to work for certain specified sums of money; and upon some estates they receive both money and allowances of salt provisions, &c.

It is generally understood that those estates which are giving allowances of provisions, instead of money, are paying higher prices for labour than those which are giving money. The average rate of payment may be estimated at 2*s*. 1*d*. for five days each week.

On the pens and coffee plantations no general effort has been made to induce one apprentice to work for hire during their own time. It is believed that upon some of the plantations occasional offers have been made to the apprentices to work for a few weeks; but these have not always been accepted, either on account of the smallness of the sums offered, or from the circumstance of its being proposed merely to repay the apprentices by an allowance of days out of crop time.

Upon the whole, it is thought that, when adequate wages are offered, the apprentices have no hesitation in agreeing to take them; and that next year, when an average rate of money wages will be better understood, there will be little difficulty in getting the apprentices to work freely for hire.

With regard to the disposition of the apprentices to perform their work, there appears to be an obvious and favourable improvement within the last two months. They are now aware that they will be punished if they neglect their work; and consequently the number of complaints are gradually decreasing. In January last there were 161 cases decided by the special magistrate; while in February the number amounted to 132; and on several estates no complaints whatever were brought forward. Of course there will always be offences committed by individuals; but it may be fairly stated that the apprentices in the parish are well disposed, and in general perform as much work during the time they are employed as they did formerly.

(signed) *Walter Finlayson*, Special Magistrate.

My Lord, Stony Hill, 16 March 1835.

In reply to your Excellency's circular, No. 1,634, I can safely say, the negroes in this district are performing more work in a given time, say 40½ hours weekly, than they ever did. I cannot, however, say they do so freely, being convinced from their natural idle disposition, were it not for a dread of collision half they do at present would not be performed; this I am convinced by observing how extremely cautious they are of the infringement of one minute of their own time; and although on a few properties they will work for wages, there is nevertheless a pretty general unwillingness to do so.

I have the satisfaction of informing your Lordship complaints are becoming less frequent.

I have, &c.

(signed) *Samuel Lloyd*, Special Magistrate.

REPORT by the undersigned Special Justice for the Moneague and Pedros Districts of the Parish of St. Ann's, as to the general State of these Districts.

Moneague, 17 March 1835.

The Reporter has the satisfaction of stating that a gradual and decided improvement has taken place in the character and conduct of the apprentices in the above district, within these some months past. Their general behaviour is cheerful and contented, and they now appear to understand and to enter with some degree of spirit into the new system.

From

From the nature of the work to be performed in this quarter of the parish, few are required to work for wages, but in cases when it may happen to be necessary, the undersigned is not aware that any indisposition to accept of them has been manifested. Complaints are becoming less frequent, and are of a much less serious character than those preferred in the earlier months of the apprenticeship. The same quantity of labour may not be performed in some cases, within equal periods, as previous to the 1st of August, but there can be no doubt that a considerable change for the better has recently taken place in this respect, and a progressive improvement may confidently be anticipated.

Henry Laidlaw, Special Magistrate.

My Lord, Home Castle, 16 March 1835.

In answer to the letter of Mr. Secretary Nunis, of 14th instant, requesting a concise report of the state of the district, I have the honour to report, that the apprentices have, on the four different properties where it has been offered to them, freely worked for wages, and seemed willing to accept them. The disposition of the apprentices is upon the whole good. Complaints are becoming less frequent, and I trust that this district will in a very short time be perfectly quiet and well disposed. I should add, the prevailing complaint on the part of overseers is an insufficiency of labour.

I have, &c.

Stanley Rawlinson, Special Justice.

A Brief REPORT of the State of Bluefields District, in the Parish of Westmorland.

17 March 1835.

In most instances the negroes appear to work freely for wages, particularly when it is carefully and explicitly pointed out to them that the Government will not countenance idleness, and that their own future interests will be best promoted by their present industry. In general I find this sort of reasoning produces a good effect; I feel it, however, to be my duty to state here, that there are a few persons in authority over the negroes, who dislike and as much as possible oppose this mode of reasoning, and fancy that chastisement alone is the impetus by which a negro is to be made to work; and I do not hesitate to say that these persons obtain less work than any others, and that from the properties under the management of such persons are to be found the greatest number of complaints. In general the complaints on either side are rather diminishing. The disposition of negroes, when under proper management, appears to me in this part of the country improving much; the wild and extravagant notion of freedom which they at first entertained appears to be fast subsiding. The quantity of sugar now made in this district is generally admitted to be equal to that made at the same period in former years. There are but few crimes charged against negroes in this district, and those of trivial character.

R. Daly, Special Justice.

A REPORT of the present State of the District under the Charge of *R. Cocking*, Special Justice.

The apprentices on most estates are working for wages, but not so freely in point of labour as they ought. I have only heard of one refusing to work for wages, and that estate is making as much produce weekly without, as they expected to have done by paying wages.

The estates generally are slow in taking off their crops; in consequence the cultivation of the next year's crop will suffer materially if some alteration does not take place in the exertion of the apprentices to work better, which is evident on most estates; an improvement has taken place, and it is to be hoped will increase.

Two estates in this district are in a very backward state, and the apprentices thereon seem determined to have their own way.

(signed) *R. Cocking*, Special Justice.

Sir, St. Ann's, 16 March 1835.

I have the honour to acknowledge the receipt of your letter of the 14th instant, No. 1,634; and in reply thereto, I have to state the great satisfaction I feel at the present state of this district. The apprentices are now working better than they have done for a considerable time past, and in a few instances they do so for hire, which they willingly take when offered, but this is chiefly among the head people. On one estate, Blenheim, I heard the people, who were on spell the previous day, come in the morning to the overseer, and offered their services for hire. I have before given it as my opinion that it will take some time to get them all to work for wages; but the example once set, I have not a doubt it will be followed.

They appear to be attending to their respective duties willingly, and with more cheerfulness than when I first came here; of course I speak generally; and I have great pleasure in stating that complaints are not now so frequent, and very few of a serious nature.

I am, &c.

(signed) *W. H. Sowley*, Special Justice.

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Sir, Alexandria, 17 March 1835.

In reply to your circular, No. 1,634, I have the honour to report that the district under my charge is in very good order, that the negroes work freely for wages, and are anxious to be employed to obtain such. Their dispositions appear to me to be very quiet and good, with a few individual exceptions. The complaints are become much less frequent.

I have, &c.
(signed) *A. Dillon*, Special Justice.

Your Excellency, Alexandria, 17 March 1835.

I have the honour to report, that with much difficulty I yesterday removed here, and that I shall use every exertion that the present improving state of my health will admit of, to meet your Excellency's orders and wishes, and the duties I have to perform.

I feel gratified in stating to your Excellency, that the sugar estates in my district are doing wonderfully well: Cave Valley estate is making 13¾ hogsheads per week, and Ballentay estate 13. The largest quantity they ever made was 18 hogsheads in the week.

I had constant communication with the attornies and overseers during my illness, as I felt so much interest and anxiety to prevent any falling off in my district. I have to request your Excellency's indulgence in my not forwarding a report for the last week, as I am unable to-day to make one. I shall include all next week.

I have, &c.
(signed) *A. Dillon*, Special Justice.

Western District, St. Thomas in the Vale,
My Lord, 19 March 1835.

I have the honour to inform your Lordship, in answer to the circular of the 14th instant, that from the very short period I have been doing the duty of special magistrate (6th March), I cannot give the full information your Lordship requires. The negroes on the different sugar estates have freely entered into agreements for taking off the crops. I am credibly informed that the negroes are gradually progressing towards working for wages; but it requires much encouragement.

I have, &c.
(signed) *Thomas Baynes*, Captain, Special Magistrate.

Derry Great House, Peartree Grove,
My Lord, 17 March 1835.

I have the honour to inform your Excellency, in compliance with Mr. Secretary Nunis' letter of the 14th instant, that I conceive my district, Bagnell's Vale, to be in pretty good order, under the existing difficulty in the want of education.

The negroes seem to work freely when kindly treated by the employer, and they seem to wish to work in their own time for kind masters and proper wages.

I am strongly of opinion that those amongst them who are enlightened, are loyal and affectionate towards the British Crown.

I have, &c.
(signed) *Henry Walsh*, Special Justice, St. Mary's.

My Lord Marquess, Falmouth, 16 March 1835.

I have the honour to state, for your Excellency's information, and in compliance with your Lordship's instructions, that I do consider the negroes will eventually work freely for wages; and they are coming more habituated to receiving wages, consequently their demands for high wages are not so great as at the onset of crop. Their disposition is decidedly improved since the 1st of August; but I cannot take on myself to say what effect the conduct of the emigrants may have on them, should their acts not be in accordance with justice and sound morality. Complaints are infinitely less than formerly; and if all will assist, I have no doubt things will go well.

I have, &c.
(signed) *Thomas Davies*, Special Justice.

My Lord, Bellmont Mocho, 18 March 1835.

I have the honour to inform your Excellency, that the apprentices in my district are giving satisfaction to their managers, and working on many properties with cheerfulness.

The apprentices have not been asked to work generally in my district for wages, but where wages has been offered them they have accepted the offer; and I am informed by some of the managers, that they have no doubt but the apprentices would willingly work for wages, should they require their services. Complaints are decidedly less frequent, and of the few in my district, of less magnitude. The apprentices appear to understand the duty they have to perform under the Abolition Act better than they did; and I have every reason to believe that improvement will daily gain ground. I regret, my Lord, not being able

able to forward your Excellency the return of sugar, in consequence of some of the overseers having been absent when I visited the estate: next week it shall be forwarded for your Excellency's information.

I have, &c.

(signed) *R. J. Langrishe.*

REPORT of Lieutenant *Thomas*, Special Justice for North East District, St. Mary's.

I BEG leave most respectfully to state to your Lordship, that having now visited every estate and pen in my district, I am enabled to report more confidently and distinctly upon the general temper and disposition of the apprentices throughout my beat, and which, I am happy in the opportunity of saying, are in general peaceable, quiet and cheerful. My purpose is, my Lord, to attend more particularly to those properties where a restless spirit causes disinclination to work on part of the apprentices discover themselves.

(Mr. White's late District.) Buff Bay, St. George's,

My Lord, Jamaica, 24 March 1835.

A CIRCULAR which I had the honour of receiving from the King's-house requires information from me which I fear I shall be scarcely capable of giving. The short time that has elapsed since my appointment to this district has prevented my acquiring an accurate knowledge of those points to which the circular alludes; and I find that it is quite impossible to rely on the judgment of others.

I regret that I am not able to give a favourable account of the general conduct of the apprentices in my district. During the last week, your Lordship will observe by my report that there is an appearance of combination against those under whose management they are placed, which has required on my part an exercise of severity which, however painful to myself, I consider absolutely necessary. In giving this account of the present state of my district, I wish your Lordship to understand, that it is strictly its present state; that during the first 10 days of my residence here, the cases brought before me were of a trifling nature; and that it is my opinion that the apprentices are now taking the opportunity of my recent appointment to discover whether I do or do not strictly enforce the laws. I have acted on this opinion, and feel convinced that this point once decided, everything will go on as well as could be desired. The apprentices in some cases work willingly for a remuneration in money for extra labour; in other cases they prefer a payment in those allowances which they received before the 1st of August last, such as salt fish, cooks, &c. On other properties, again, they positively refuse, on any account whatever, to work for a longer period than that which the law requires.

I need not say that I have always endeavoured to point out to them the advantage of industry at the present time, and the benefits that will accrue to them hereafter by a ready acquiescence in the views of the proprietors of estates. In conclusion, I can only repeat to your Lordship my conviction, that though this district may have been less orderly during the last fortnight than it has previously been, I am quite satisfied that a very short time will suffice for allaying the excitement which at present exists.

I have, &c.

(signed) *W. Hewitt*, Special Justice.

My Lord, Morant Bay, 18 March 1835.

IN obedience to your directions, I have the honour to acquaint you, that the apprentices in this district all appear to work freely for wages; and where proposed to them to work extra time, they are always most willing to accept the offer. During the short time I have been here, I have no hesitation in saying that complaints are becoming less frequent every week. I am fully confident, if there were proper persons over them that would conciliate with their different occupations, the work on all the estates would be carried on in the most tranquil manner.

I have, &c.

(signed) *John Eveleigh*, Special Justice.

St. David's Parish, 16 March 1835.

I CONSIDER my district, the parish of St. David, to be in a state of great tranquillity. The coffee crop here, which is of considerable extent, is nearly saved: it has been got in with much satisfaction; the quantity picked per day by each person employed, when the coffee was fully ripe, being equal to that ever required. The apprentices, when called on, have freely worked in their own time for the wages offered, 10*d.* per bushel. In the manufacture of sugar, nearly as much has been made in this year as in last, in the same number of weeks, there being only 8 ½ hogsheads deficient. The week this year comprise but five days; last year they contained six, of 24 hours. Only two estates here out of 10 work by night. The persons engaged by night receive 2*s.* 6*d.* currency per week, and the usual allowances. The apprentices, besides extra labour per day, give one day per month of their own time. On the other estates, with the exception of one, the apprentices work, say seven hours per day, beyond the legal time, and give up one day per month, for no other consideration than the usual allowances. On Windsor Forest they receive 2*d.* per hour

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for extra time, seven hours per day: the work on this estate is carried on with much more satisfaction than usual. The quality of sugar made this year is superior to that of last year's make; sugar made at night not being as well manufactured as that made by day. From what I have stated, I am of opinion that the negroes, when kindly treated, will freely work for wages in the time they can spare for the cultivation of their grounds. Now that the apprentices understand the extent of the freedom conceded to them, they are more contented and less disposed to complain than they were immediately after the 1st of August. The managers too, I consider, are adapting themselves to the change which has taken place, and are less inclined, in general, to prefer complaints than heretofore.

(signed) *Patrick Dunne.*

Special Justice's REPORT of the District of Manchioneal, St. Thomas in the East, Jamaica.

My Lord Marquess, 17 March 1835.

I have the honour to lay before your Excellency the following, as the result of my short experience in this district as a special justice.

I have, in the first instance, to state that every assistance and facility has been afforded me, on all occasions, by both the local magistrates and the managers of properties. I am decidedly of opinion the apprentices do not appreciate the great boon that has been granted them, and that they are quite destitute of gratitude, coercive measures alone causing the system to work at all.

The conduct of the women retards greatly the well-doing of estates, being extremely turbulent, obstinate and insolent. The watchmen are another class in this district who behave bad, being extremely indolent, and frequently found guilty of breach of trust, as well as absence from their watch. There will require some imperative act of the Legislature to secure the bringing up of the children under six years to habits of industry, as well as morality of conduct, as the parents decidedly refuse all assistance from their masters, and will not listen to any terms of apprenticeship, but seem to wish to bring up their children as slaves to themselves. There is evinced in this district a great reluctance to work for wages, or to give up any of their own time; and where money has been paid, no commensurate profit has arisen to the proprietor. One principal cause for their not giving their time, is the vicinity to their houses and productiveness of their provision grounds. The estates, without exception, are very far back in their cultivation, both for this year's crop as well the next, owing to the apprentices doing less work, in any given number of hours, than prior to the 1st of August, particularly the women. Latterly there have been fewer complaints as to general work, but more of individual character, viz. stealing, watching, and wilful destruction of property. The apprentices in this district attend generally very regularly on Sundays to divine service, and their conduct is very decorous. The district is free from any unlawful turbulence or riot.

I have, &c.

(signed) *J. Kennet Dawson,* Special Justice.

My Lord, Dover, St. George's, 17 March 1835.

In compliance with the circular letter of 14th instant, No. 1,634, I beg leave to report that, as well as a residence of about two months will enable me to form an opinion, the state of the district under my charge is rather unsatisfactory, as regards the general conduct and dispositions of the apprentices.

They do not work freely for wages; those employed in the field, in almost every instance, refuse at all times. Whenever they do consent to work in their own time, they require such extravagant hire, and even when their demands are acceded to, perform so small a portion of work, that no estate could profitably employ them. A few of the most intelligent, such as porter-men and still-house-men, receive wages, and earn from one to two dollars weekly; but the great body of apprentices seem disposed to refuse all wages, and to waste in idleness the greater part of the time at their own disposal, instead of cultivating their provision grounds; the consequence of which is, that throughout the whole of my district, the negroes are in want of food, and many are living entirely on what they can steal from the more industrious. I do not perceive any sensible increase or diminution in the number of complaints; but I hope, as soon as the misunderstanding and excitement which at present exists has subsided, they will become less numerous.

I have, &c.

(signed) *E. E. Fishbourne,* Special Justice.

Sir, Palmetto River, 18 March 1835.

The apprentices in the district under my charge, I have much pleasure in being able confidently to assert, are at this moment in as contented a state and as industriously engaged as any peasantry in the most favoured portion of the globe. To this state they have been rapidly progressing since Christmas; and I have the satisfaction of knowing that on those properties that have above 200 apprentices they are not only manufacturing sugar with the same facility and in the same proportion as formerly, but they are also performing the same quantity of agricultural labour they had used to do when working so many more hours.

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This fact I have been particularly anxious to ascertain, and know from observation and inquiry that I am right in my assertion. A singular fact connected with the manufacture of sugar this year is, that on all the properties I have had an opportunity of visiting not a single bad hogshead has been made, and the general quality is much superior to that last year: that this improvement is not accounted for by the supposition that the bad was in former years the product of night labour, is shown by the circumstance that on many estates night labour is still continued, and there the sugar is good also. The habit of working for wages might be made general, were such a course the desire of attorneys and managers invariably, but such I am sorry to say is not the case.

I have always found the negroes readily agree to an equitable rate of wages, and after trial evince an earnest anxiety to do as much extra work as they might be allowed. In two or three properties where no money is paid because no extra hours are required, the apprentices have complained of it to me as a hardship, and referred to the superior situation of those on other estates where money has been paid. From the desire which the acquisition of money creates, and their general readiness to work on their own days when required, there appears to me no difficulty, if attempted, of at present doing the whole labour of an estate by task or at a money rate of hire, and consequently no cause of fear for the future. There is a great decrease of crime and petty offences on all properties in this district; the gaol of this large precinct contains but two apprentices, and the number in the house of correction is exceeding few, and of those not one committed by myself.

I have very few complaints from managers, and still fewer from apprentices. I have endeavoured to impress them with conviction of the necessity of obedience and industry, as a means of ensuring their own happiness and respectability; and from the present quietness and industry around me, I have reason to believe with some effect. The comparison of my diaries of the months of September and October, with those of the last two months, will show an improvement most rapid and astonishing. Would attorneys pay more attention to the capacity and conduct of those whom they select to superintend apprentices, all difficulty and doubt as to the ultimate success of this benevolent experiment would instantly vanish, and both proprietors and managers acknowledge that the change has been productive of as much mental ease to them as of bodily relaxation to the serf.

I have, &c.

(signed) *Edmund B. Lyon*, Special Justice.

My Lord, Retreat, 17 March 1835.

I BEG to inform your Lordship, that since I came to this district, which is only three months, I see a great change for the better, and crimes of a serious nature hardly now take place; in fact the only complaints made to me by the overseers (now) is, that of the negroes turning out late in the morning, and after middle-shell blows; and to show how much they are beginning to value money, I sometimes (of a Saturday) have them with me from 10 to 12 miles off, to complain of their working for perhaps half an hour longer than usual, and not getting pay. As to their working freely (for pay), it would in my opinion be very odd if they did, when we consider that a negro of what is termed the great gang gets from his employer 1*s.* 8*d.* currency for his Saturday, which time had he here at his ground, and working as some of them do, he would plant as much provision as he could sell in the market (next year, or rather towards the end of this) for six times 1*s.* 8*d.*, and this is what makes them not value money given by their employer. It is well known that a negro in 16 days will plant as much provisions as will do for himself and family for a year. As to the disposition of the people it is downright sulky, and perverse to a very great degree. I have invariably treated them kindly and spoken in the same manner, but most of them cannot appreciate kindness; and some estates that I have been most lenient to, are now the worst. Any wages they agree to work for they always take, which is in most places 10*d.* a night to those about the works, for six hours of extra labour. Some places which have three and four spells, generally cut as much canes on Friday as keeps the mill about on Saturday; as when there are four spells, each only comes on every fourth Saturday, and have three to attend their grounds.

I have, &c.

(signed) *Henry Blake*, Special Justice.

Sir, Wear Mandeville, 17 March 1835.

IN reply to your circular of the 14th instant, I beg to say that generally speaking the negroes are very peaceable in this district. Persons who have long had arbitrary power in their own hands are often more querulous than they need be, and thus keep the magistrate pretty constantly employed. This, however, will gradually subside; indeed it is wearing away. At the same time I do think, after a good deal of patient inquiry, that the negroes in general are doing as little work as they can, while they can evade the law. The coffee crop has been so short this year that little opportunity has offered for their being hired. My impression is, they do not seek employment for hire in their own time, and that when offered they seldom accept it.

I have, &c.

(signed) *Samuel H. Stewart*, Special Magistrate.

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REPORT of Hanover Middle District.

On most of the estates in this district the apprentices are working for wages; but in some instances they are not working regularly, that is to say, they will refuse to work one week, and will work again the next. In most places they are working cheerfully, and complaints are becoming less numerous. On all estates their whole time hitherto has been occupied in taking off the present crops, in consequence of which the field work has been entirely neglected. Some few have commenced clearing their pastures and young canes, and putting in young plants; of these a few employ jobbers. Others are stopping the mill, and have all hands in the field. I have nevertheless heard several express a favourable opinion with regard to the next year's crops.

(signed) *John R. Hulme*, Special Justice.

Sir, Houghton Grove, 24 March 1835.

Agreeably to Circular 1,634, March 14th, I have the honour to forward for his Excellency's information a comparative statement as to the crops of the sugar estates in this district, between the years 1834 and 1835, up to the 20th instant.

With reference to Circular 1,634, I am sorry to observe, that the apprentices are not working by any means well, neither do they when at work perform the labour which they ought to do. On some estates they are working for wages, and I have not heard of many complaints of their having refused the wages due to them, although a few cases of that nature have occurred. On other estates the apprentices are working by spells according to law, but they are not generally disposed to labour cheerfully and willingly. The complaints of managers against their apprentices are by no means on the decline.

To W. G. Nunis, esq., Secretary.

I have, &c.
(signed) *Simeon Farrar*, Special Magistrate.

My Lord, Knock Patrick, Manchester, 25 March 1835.

I have much satisfaction in reporting to your Excellency the state of my district; that the apprentices are considerably improved both in their moral conduct as well as in labour, and that complaints are few to what they have been. With regard to working for wages, they are generally disposed to do so, at the rate of 1*s.* 8*d.* per day when offered, but few properties can afford so high a rate of wages.

I have, &c.
(signed) *Thomas Colebrooke*, Special Magistrate.

Sir, Spanish Town, St. Catherine, 25 March 1835.

In reply to your letter of the 14th instant, No. 1,634, I have the satisfaction to acquaint you, for the information of his Excellency the Governor, that the greatest tranquillity prevails amongst the apprentices of this parish, and that no complaints were made to me by the overseers or apprentices on any of the sugar estates I lately visited.

The apprentices are working willingly for wages, considering a custom has long prevailed in this parish of permitting them during their own time to cut wood and grass for their own benefit, which meets with ready sale, and by which some of them are enabled to earn more than by disposing of their time to their masters.

I have also to report to his Lordship, that during my term of official duty through the Island, I had frequent opportunities of becoming acquainted with the disposition of the negro population under the new system, and can assure his Excellency that (with very few exceptions, certainly not more than would occur in any other community under circumstances of so great a change) the apprentices generally are tranquil, performing their work with cheerfulness, and are beginning in the interior to understand the advantages they derive from hiring themselves to their masters; and, as far as I am able to judge, I think a mutual feeling of good will is beginning to prevail between the parties in their relative situations.

I have, &c.
(signed) *William Ramsay*,
Special Justice and Inspector-General of Police.

To W. G. Nunis, esq.

My Lord, Masemure, 17 March 1835.

I have now the honour of reporting to your Excellency the state of my district. The negroes are conducting themselves in a very peaceable manner; the two spells of eight hours each, as recommended by your Excellency, has been generally adopted in this quarter; and although but few estates are working the 24 hours, I am of opinion the same proportion of work is now performed by the negroes as heretofore. On some properties they work freely for wages; others again do not seem disposed so to do, but I find the head people, such

such as cartmen and those occupied in the immediate manufacture of the produce, are anxious to have the opportunity of working for money. I consider the negroes are daily becoming more satisfied and familiar with the law, which in my opinion is the principal cause of the diminution of complaint. I have, &c.

(signed) *E. D. Philp*,
Special Justice, Leeward District, Westmorland.

My Lord, Bruemar, Pear-tree Grove, P. O.

I HAVE the honour to reply to your circular, No. 1,634, to acquaint your Excellency since the receipt of that circular I have made an entire tour of my district; and I find since my last tour, from the information received from the proprietors and respectable overseers, that the apprentices on most of the estates are conducting themselves much better; on several of the estates they are working for wages willingly, but I regret to say on many they will not at present. I attribute this in a great measure to the non-attendance of any special magistrate, as reported to me by the proprietors and overseers, since the 1st of August; therefore the apprentices were ignorant of the law, which I have endeavoured to explain to them assembled together, and I hope by my next report, by the example I have made, to acquaint your Excellency that everything is working well; and in justice to the proprietors and respectable overseers, I must say I have received the greatest assistance to enable me to perform the duties I have done. Although I was requested by two or three proprietors not to attempt visiting their estates without a body of the police, but I did so single-handed, and was surrounded in the middle of them and did my duty, which I hope will meet your Excellency's approbation. I have, &c.

(signed) *James Jackson*, Special Magistrate.

My Lord, New Ramble, St. Mary's, 17 March 1835.

I HAVE the honour to forward my report of the state of my district. I have 16 sugar estates to visit; the mills are kept about for different periods, 12, 16 and 18 hours, as it suits the convenience of the estate. I am not aware of any difficulty whatever in taking off the crops. Some managers pay wages for spell-work, some give time in return, and some give rum, sugar and salt provisions; some managers employ the apprentices 45 hours in crop time and out of crop time; the labourers giving up 4 ½ hours weekly for an allowance of salt fish.

There is the best disposition on the part of the apprentices to work for wages, throughout this district; they not only take them when offered, but prefer them to any other arrangement. There is an opposition in some cases to give wages; where they have been tendered, the apprentices readily sell their own time. I have the assurance of many managers for this good disposition in the apprentices. Where the new system is fairly tried, and faith kept with the apprentices, the manager has no trouble beyond those delinquencies which occur in all countries.

The apprentices appear to consider the new system as a great blessing, and are eager to have every advantage the law has given them. There is one great difficulty in carrying the new system into effect, as regards the hours of labour; there is no uniform hour of rest appointed for the field people. Many of them conceive they are cheated out of their time; the want of clocks and watches is much felt: in a few instances watches have been given to the constables attending in the field. I do not consider that the irritation against the "invasion of their rights," as the proprietors and managers term the new system, has yet subsided; they find great difficulty in looking upon their late slaves as their equals in the courts of law and justice. With respect to the frequency of complaints, I consider they will not be disposed to commit offences when they are more acquainted with the laws. Such has been my experience on those estates where I have taken the most trouble to explain to the apprentices the obligations of the law on both parties, master and servant. Complaints are no longer made from those properties. In conclusion, I do consider, as far as my district is concerned, that it is a fair example of the good working of the new system under the Abolition Law; and that it requires nothing more than fair play on the part of the managers to bring the apprentices to a state fitted for perfect and absolute freedom when the term of service expires. I am not aware that any steps have been taken by proprietors or managers in my district to establish schools or instruct in any way their apprentices, or to encourage marriage among their servants. I have, &c.

(signed) *William Marlton*, Special Justice.

My Lord, Trelawny Interior District, 17 March 1835.

IN conformity with your Excellency's instructions, I have great pleasure in reporting to your Lordship that the apprentices in this district are in a tranquil and orderly state; all the mills are about, and since the rains have ceased the weekly returns of produce, which are uniformly good, have considerably increased, and the crop is progressing rapidly, and in as satisfactory a manner generally as can be reasonably expected.

The apprentices are cheerfully working extra time (on the weak-handed estates) for money hire, even at night, and would gladly do so generally, if required; but on some properties they are wishful to appropriate the Saturday to their grounds and to go to market, as they now generally observe the Sabbath, and do not appropriate that day to the cultivation

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of their grounds as heretofore. It also affords me pleasure to report to your Excellency that the apprentices in this district are well clad, well fed and well housed; and that the complaints on the side of the apprentices, as also of the planters, have of late become less frequent and of less importance.

I have, &c.

(signed) *S. Pryce*, Special Justice.

REPORT of the District of *W. A. Bell*, Esq., Special Justice for the Parish of St. Elizabeth.

Elim Great House, St. Elizabeth's, 17 March 1835.

THE apprentices are generally working well, and are more good tempered than at the commencement of apprenticeship. There are few complaints for anything but thieving of one another and their masters. They will sometimes work cheerfully for wages, at other times they will say that the wages are not enough; in fact, they do what others in their situation would do. They are independent of their owners or employers, by not being circumscribed in their grounds, and not having a rent to pay for them; nothing but the same want that is felt in other countries will give constant labour. I believe that they are perfectly quiet, and will only act as circumstances oblige them, like other labouring classes. Education would improve them, but they do not value what they themselves do not pay for.

(signed) *W. A. Bell*, Special Justice.

My Lord, Rio Bueno, 17 March 1835.

I BEG leave to acknowledge the receipt of your Excellency's circular of the 14th instant, No. 1,634. In reply to your Excellency's order for me to report the state of my district, I beg leave to inform your Excellency that this district is at present quiet, the apprentices are working for wages freely, and that they are willing to receive hire when offered, and from appearances I have every reason to think their dispositions are improving; they now appear more willing to work than at the commencement of crop, and that complaints of any serious nature are becoming less frequent. The greater part of the estates in this district are making a fair proportion of sugar, and of very superior quality.

I have, &c.

(signed) *C. Hawkins*, Special Justice.

My Lord, Amity Hall, 18 March 1835.

I HAVE the honour to enclose my weekly report for your Lordship's inspection. I am most happy to state to your Lordship that the crops are progressing fast in this parish, and taking off more sugar in proportion to the hours they work than they have done for some time previous to this great change. I am unable, my Lord, to send by this post a return of the sugar made in this parish, in consequence of some of the managers being from home, and the book-keepers would not give a statement until their return; however I trust to have it complete by next post.

I have, &c.

(signed) *James Nolan.*

My Lord, Spanish Town, 18 March 1835.

I HAVE the honour to state, for the information of your Excellency, that the district under my charge is perfectly peaceable, and the apprenctices working much better than they did at the commencement of their apprenticeship; they work freely for wages, but in consequence of their having a regular sale for grass and wood in Kingston and Spanish Town, demand a higher rate of wages than the apprentices in the interior are working for. Complaints are diminishing daily, but regret to state that the house of correction has not a tread-mill or solitary cells, which I am convinced is the reason of so many complaints against the servants in this town.

I have, &c.

(signed) *James Clinch*, Special Justice.

My Lord, Montego Bay, 17 March 1835.

I HAVE the honour to inform your Lordship that the apprentices in this district work cheerfully for wages; I am not aware that they ever refused fair and reasonable hire. On those estates in this district where the apprentices are fairly paid for extra labour, there is perfect harmony and content. I have also the satisfaction of acquainting your Lordship that on those estates where no wages are given, the apprentices work the time prescribed by law uncommonly well, and do as much in the given time as they did formerly. Complaints are now considerably diminished.

I have, &c.

(signed) *William Norcott*, Special Justice.

— No. 39. —

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

My Lord, Highgate, Jamaica, 27 April 1835.

No. 39.

I HAVE the honour to announce to you the arrival here yesterday, per the Flamer steamer, of the two mails which were dispatched on the 3d and 17th March by the Briseis and Swallow packets, which arrived at Barbadoes on the 21st,

21st, in 47 and 34 days respectively. I am happy in being enabled to state that the Island still continues in the best possible state, and that my magisterial and other reports announce a great diminution of offence of every kind, except theft; but I am sorry to say that this crime reaches to a great extent now. I have the honour to enclose you herewith a list of the numbers of properties, out of those visited last week by the special justices, where no complaints of any kind were tendered. I consider this a most favourable circumstance. JAMAICA.

I have, &c.

(signed) *Sligo.*

Enclosure in No. 39.

A LIST of PROPERTIES visited by the Special Justices of Jamaica on the Week ending the 21st April, where no Complaints whatever were brought against any Apprentice. Enclosure in No. 39.

5	Davies - -	Trelawny.	0	Ramsay, (absent on duty.)	St. Catherine's.
10	Hawkins - -	ditto.	11	Laidlaw - -	St. Anne's.
0	Pryce - - -	ditto.	24	A. Dillon - -	ditto.
10	Cocking - -	St. James.	1	Sowley - -	ditto.
0	Farrer - - -	ditto.	7	Rawlinson - -	ditto.
4	Cooper - -	ditto.	15	Marlton - -	St. Mary's.
0	Finlayson - (ill)	ditto.	26	H. Welsh - -	ditto.
21	Hulme - -	Hanover.	3	Jackson - -	ditto.
8	Odell - - -	ditto.	12	Thomas - -	ditto.
16	Philps - -	Westmorland.	11	Lloyd - - -	St. Andrew's.
3	Oliver - - -	ditto.	5	Bourne - -	ditto.
14	Edwards - -	ditto.	8	Hewitt - -	St. George's.
0	Daughty - -	St. Elizabeth.	0	Gillam, (new beginner.)	- - ditto.
5	Bell - - -	ditto.	7	Fishbourne - -	ditto.
8	Reynolds - -	ditto.	7	M'Gregor - -	Portland.
11	Gurley - -	ditto.	20	Dawson - -	Westmorland
6	Colebrooke - -	Manchester.	7	Blake - - -	ditto.
8	A. Walsh - -	ditto.	8	Baines - -	ditto.
3	Alley - - -	ditto.	5	Eveleigh - -	ditto.
0	Haley, (absent on leave.)	- - Clarendon.	14	Lyons - - -	ditto.
10	Langrishe - -	ditto.	11	Dunne - -	St. David's.
4	Theobald Dillon -	ditto.	6	Palmer - -	Port Royal.
19	Nolan - - -	Vere - -	8	Pennel, (omitted above.)	- - Trelawny.
14	Macleod - -	St. Dorothy's.	24	Kent - - -	Port Royal.
11	E. D. Baynes -	St. John's -		Conner, } Kingston; do not	
9	Thomas Baynes -	- - St. Thomas in the Vale.		Norcott, } visit properties.	
3	Watkin Jones -	ditto.			
10	Clinch - -	St. Catherine's.			

Total number of Properties visited where no complaints have been preferred, 452.

— No. 40. —

EXTRACT of a DESPATCH from Lord *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 27 April 1835.

EVERYTHING appears now to be going on perfectly well. The apprentices are also contented. The managers are relaxing down from their vexatious and teasing attacks upon the comforts of the negroes; finding from experience that they have not now the same sort of people to deal with that they had before. No. 40.

— No. 41. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 28 April 1835.

SINCE my writing to you my letter yesterday on the state of the Island, I have selected some extracts from the last week's letters relative to this Island, which are very satisfactory for the little way they go. I also send two further sheets of Sugar Returns, which I have just had copied, and complete all I have been able to collect. No. 41.

Enclosure 1, in No. 41.

CONTINUATION of RETURN of SUGAR, &c.; transmitted in the Marquess of *Sligo*'s Despatch, dated King's House, St. Jago de la Vega, Jamaica, 27 March 1835.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835	Quality.
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			
Bushy Park	St. Dorothy	14 Dec. 1833	115	15 Dec. 1834	114	-	1	24	16	
Berwick	St. Thomas in the Vale.	8 Jan. 1834	62	8 Dec. –	64	2	-	24	16	
New Hall	ditto	4 Dec. 1833	49	8 Dec. –	49	-	-	24	16	
Shinton	ditto	13 Jan. 1834	33 ½	1 Jan. 1835	40	6 ½	-	24	16	
Ellis Caymanes	St. Catherine	15 Dec. 1833	25	18 Dec. 1834	18	-	7	24	16	
Albion	St. Mary's	3 Feb. 1834	46	9 Feb. 1835	12	-	34	24	16	
Fort Stewart	St. George's	- 1834	12							
Lewisburgh	St. Mary's	35 days 1834	47	now in 35 days	-	-	-	-	34	
Dorrington Castle	ditto	63 days –	103	now in 73 days.						
White Hall	ditto	28 days –	34	now in 11 days	-	-	-	-	13	
Fair Prospect	ditto	1 Jan. –	6	1 Jan. 1835	7	1				
Kellitt's	Clarendon	2 Dec. 1833	118	29 Dec. 1834	77	-	41			
Windsor Castle	ditto	1 Jan. 1834	20	1 Jan. 1835	12	-	8	21 days.		
Woodhall	St. Dorothy	13 Jan. –	33	20 Jan. –	35	2	-	26 days 1834. 27 days 1835.		
Hector's River	St. Thomas in the East.	1 Jan. –	50	1 Jan. –	44	-	6			
Providence	ditto	1 Jan. –	26	1 Jan. –	14	-	12	23 days 1834. 17 days 1835.		
Friendship	Trelawney	27 Jan. –	35	26 Jan. –	18	-	17			
Chester	ditto	24 Jan. –	26	2 Feb. –	14	-	12			
Reserve	ditto	24 Feb. –	3	16 Feb. –	8	5	-			
Holland	ditto	2 Jan. –	40	1 Jan. –	36	-	4			
Tilston	ditto	10 Feb. –	26	23 Jan. –	16	-	10			
Petersfield	St. Thomas in the East.	1 Jan. –	40	1 Jan. –	41	1	-	24	16	
Spring	ditto	1 Jan. –	33	1 Jan. –	21 ½	-	12	24	16*	*5 days.
Spring Garden	ditto	1 Jan. –	59	1 Jan. –	36	-	23	24	16*	*5 days.
Grand Vale	Westmorland	13 Jan. –	45	13 Jan. –	30	-	15			
Springfield	St. Thomas in the East.	14 Dec. 1833	57	3 Jan. –	68	11	-	24	16	
Spring Garden	ditto	15 Jan. 1834	83	7 Jan. –	93	10	-	24	16	
George's Plain	Westmorland	20 Jan. –	75	8 Jan. –	72	-	3	14	8	quality good.
Black Ness	ditto	6 Jan. –	66	6 Jan. –	44	-	22	14	8	ditto.
Blackheath	ditto	11 Dec. 1833	84	8 Dec. 1834	82	-	2	14	8	ditto.
Bath, 5 days	ditto	5 Jan. 1834	109 ½	16 Dec. –	70	-	39 ½	24	18	superior
Dean's Valley Water	ditto	11 Jan. –	38 ½	15 Dec. –	51	13	-	24	8	good.
Carrawona	ditto	6 Jan. –	82	2 Dec. –	88 ½	6 ½	-	24	16	good.
Mesopotamia, 5 days	ditto	7 Dec. 1833	100	24 Nov. –	135	35	-	24	16	good.
Three Mile River	ditto	16 Dec. –	47	8 Dec –	37	-	10	16	14	good.
Cornwall	ditto	6 Jan. 1834	78	30 Dec. –	88 ½	10 ½	-	18	16	good.
Amity	ditto	1 Jan. –	40	14 Jan. 1835	20	-	20	16	8	good.
Parnassus	Clarendon	13 Jan. –	67	19 Jan. –	99	32	-	24	18	
Sutton's Pastures	Westmorland	5 Feb. –	32	12 Jan. –	48	16	-	24	18	
Old Plantation	ditto	16 Jan. –	71	8 Jan. –	75	4	-	24	18	
Sutton's	ditto	20 Jan. –	43	19 Jan. –	40	-	3	24	18	
Treadway's	St. Thomas in the Vale	11 Jan. –	77	20 Dec. 1834	70	-	7	24	18	
Caymanas	St. Catherine	18 Jan. –	55	9 Jan. 1835	52	-	3	24	18	
Retirement, 5 days	ditto	20 Jan. –	39 ½	19 Jan. –	38 ½	-	1	24		
Albany	Westmorland	17 Jan. –	78	15 Jan. –	44	-	34	24	16	
Canaan	ditto	1 Dec. 1833	89	10 Dec. 1833	63	-	26	24	16	
Delue	ditto	10 Nov. –	94	24 Nov. –	68	-	26	24	16	
Fontabelle	ditto	10 Jan. 1834	40	12 Jan. 1835	42	2	-	24	16	
Geneva	ditto	22 Dec. 1833	40	23 Dec. 1833	22	-	18	24	8	
Glasgow	ditto	6 Dec. –	122	10 Dec. –	82	-	40	24	16	
Hope	ditto	17 Jan. 1834	66	15 Jan. 1835	37	-	29	24	16	
King's Valley	ditto	8 Jan. –	85	2 Dec. 1834	82 ½	-	2 ½	24	16	
Meylersfield	ditto	2 Jan. –	125	1 Jan. 1835	120	-	5	24	16	
Mount Eagle	ditto	10 Dec. 1833	85	11 Jan. –	61	-	24	24	8	
Negril Spot	ditto	13 Jan. 1834	42	16 Dec. 1834	38	-	4	14	16*	*5 days.
Nonpareil	ditto	10 Jan. –	32	10 Jan. 1835	32 ½	– ½	-	24	8	
Paul Island	ditto	13 Jan. –	56	12 Jan. –	58	2	-	24	16	
Retrieve	ditto	17 Jan. –	90	15 Jan. –	40	-	50	24	16	
Ridreland	ditto	11 Feb. –	28	29 Dec. 1834	33 ½	5 ½	-	24	16	

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	Quality.
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			
Belmont	Trelawney	10 Feb. 1834	21	2 Feb. 1835	12	-	9	24	16	
Linton Park	ditto	24 Feb. –	6	23 Feb. –	3	-	3	24	16	
Forrest	ditto	22 Jan. –	21	17 Feb. –	13	-	8	18	18	
Garradue	ditto	5 Feb. –	24	16 Jan. –	16	-	8	16	16	
Acton	ditto	24 Feb. –	3	23 Feb. –	4	1	-	18	16	
Paradise	Vere	13 Jan. 1834	21	1 Dec. 1834	26	5	-	24	16	1834
New Yarmouth	ditto	16 Dec. 1833	29	8 Dec. –	39	10	-	24	16 -	6 days
Bowen Hall	ditto	9 Jan. 1834	18	15 Dec. –	35	17	-	24	18	a week.
Dunkley's	ditto	15 Jan. –	20	15 Dec. –	41	21	-	24	16	
Dry River	ditto	1 Jan. –	37	5 Jan. 1835	28	-	9	24	16	
Springfield	ditto	6 Jan. –	11	2 Feb. –	12	1	-	24	16	
Knight's	ditto	9 Dec. 1833	42	9 Dec. 1834	41	-	1	24	16	
Greenwich	ditto	1 Jan. 1834	39	5 Jan. 1835	30	-	9	24	16	
Chesterfield	ditto	4 Jan. –	38	5 Jan. –	40	2	-	24	16	
Pusey Hall	ditto	14 Jan. –	15	14 Jan. –	41	26	-	24	16	
Shetton Hall	ditto	3 Feb. –	20	6 Jan. –	27	7	-	24	16	
Moreland	ditto	2 Dec. 1833	93	9 Dec. 1834	94	1	-	24	18	
Bog	ditto	18 Dec. –	78	14 Jan. 1835	70	-	8	24	18	
Pernin's	ditto	19 Dec. –	36	9 Dec. 1834	42	6	-	14	18	
Salt Savannah	ditto	4 Feb. 1834	26	4 Feb. 1835	21	-	5	18	16	
Amity Hall	ditto	16 Dec. 1833	44	22 Dec. 1834	54	10	-	28	18	
Carlisle	ditto	16 Dec. –	80	17 Dec. –	72	-	8	24	16	
Old Yarmouth	ditto	12 Dec. –	35	20 Jan. 1835	44	9	-	24	16	
Money Musk	ditto	16 Dec. –	95	15 Dec. 1834	80	-	15	24	16	
River Side	ditto	12 Dec. –	17	17 Dec. –	27	10	-	24	16	
Harmony Hall	ditto	1 Feb. 1834	28	9 Dec. –	48	20	-	24	16	
Belmont	St. James	5 Dec. 1833	26	5 Dec. –	25	-	1	24	16 -	1834
Palmyra	ditto	27 Jan. 1834	32	26 Jan. 1835	23	-	9	16	16	6 days.
Dumfries	ditto	26 Jan. –	24	12 Jan. –	43	19	-	18	16	
Millenium Hall	ditto	14 Feb. –	15	12 Jan. –	16	1	-	16	16	
Leogan	ditto	27 Feb. –	9 ¼	12 Jan. –	16	6 ¾	-	24	16	
Hampden	ditto	24 Feb. –	10	16 Feb. –	11 ½	1 ½	-	24	16	
Somerton	ditto	13 Jan. –	40	29 Dec. 1834	31	-	9	24	16	
Bellfield	ditto	1 Feb. –	20	6 Jan. 1835	35	15	-	24	16	
Success	ditto	25 Feb. –	4	6 Feb. –	4 ½	– ½	-	18	12	
Spot Valley	ditto	16 Feb. –	18	24 Feb. –	5	-	13	16	16	
Carlton	ditto	20 Feb. –	19	16 Feb. –	10 ½	-	8 ½	18	16	
Content	ditto	23 Feb. –	35	26 Feb. –	26	-	9	18	16	
Virgin Valley	ditto	15 Dec. 1833	40	19 Jan. –	14	-	26	24	16	
New Canaan	ditto	1 Jan. 1834	67	12 Jan. –	51	-	6	18	18	
Prosper, 5 days	Westmorland	11 Dec. 1833	68	2 Dec. 1834	58	-	10	20	16	5 days 1835. 6 days 1834.
Haughton Court	ditto	23 Nov. –	92	3 Dec. –	81	-	11	24	16	ditto. ditto.
Bachelor's Hall	ditto	11 Nov. –	65	11 Nov. –	54	-	11	24	16	ditto. ditto.
Orange Cove	ditto	12 Sept. –	138	25 Aug. –	98	-	40	24	16	6 days 1834. 5 days 1835.
Esher	ditto	12 Nov. –	70	7 Oct. –	49	-	21	24	16	ditto. ditto.
Fat Hog Quarter	ditto	7 Nov. –	64	3 Dec. –	65	1	-	24	16	ditto. ditto.
Richmond	ditto	1 Dec. –	40	28 Nov. –	50	10	-	24	16	ditto. ditto.
Eaton	ditto	7 Dec. –	64	1 Dec. –	64	-	-	12	15	ditto. ditto.
Riley's	ditto	9 Dec. –	42	1 Dec. –	30	-	12	16	12	6 & 5 days
Kew	ditto	21 Nov. –	70	15 Nov. –	67	-	3	24	12	ditto.
Georgia	ditto	7 Dec. –	153	15 Dec. –	117	-	36	24	16	ditto.
Bean's	ditto	4 Nov. –	50	10 Nov. –	36	-	14	12	9	ditto.
Old Retrieve	ditto	1 Dec. –	107	1 Dec. –	82	-	25	24	16	ditto.
New Retrieve	ditto	4 Dec. –	96	1 Dec. –	110	14	-	24	16	ditto.
Point	ditto	15 Nov. –	133	3 Nov. –	142	9	-	24	12	ditto.
Lower Hopewell	ditto	3 Dec. –	64	3 Dec. –	58	-	6	24	16	ditto.
Musquito Cove	ditto	17 Dec. –	48	3 Dec. –	58	10	-	24	16	ditto.
Barbican	ditto	9 Dec. –	56	8 Dec. –	45	-	11	24	16	ditto.
Magotty	ditto	7 Dec. –	60	1 Dec. –	38	-	22	24	16	ditto.
Blue Hole	ditto	14 Jan. –	35	8 Dec. –	27	-	8	24	16	ditto.
Flint River	ditto	15 Jan. –	39	29 Dec. –	57	18	-	24	16	ditto.
Tryall	ditto	7 Jan. –	91	12 Jan. 1835	76	-	15	24	16	ditto.
Upper Hopewell	ditto	1 Jan. –	39	16 Dec. 1834	32	-	7	17	14	ditto.
Bamboo	ditto	1 Dec. –	40	17 Nov. –	39	-	1	24	16	ditto.
Round Hill	ditto	9 Dec. –	69 ½	1 Dec. –	53	-	16 ½	24	13	ditto.
Welcome	ditto	13 Jan. 1834	44	30 Dec. –	40	-	4	24	16	ditto.
Haddington	ditto	13 Jan. –	37	5 Jan. 1835	32	-	5	24	16	ditto.

(*continued*)

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	In-crease.	De-crease.	Hours Labour 1834.	Hours Labour 1835.	—
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			1834–5.
Success	Westmorland	14 Jan. 1834	20	13 Jan. 1835	18	-	2	24	24	6 & 5 days.
Great Valley	ditto	13 Jan. –	60	30 Dec. 1834	49	-	11	20	16	ditto.
Belmont	ditto	5 Dec. 1833	26	5 Dec. –	25	-	1	24	16	
Newfoundland River	Hanover	16 Dec. –	74	24 Nov. –	74	-	-	24	16	ditto.
Green River	ditto	1 Dec. –	114	24 Nov. –	77	-	51	24	15	ditto.
Salt Spring	ditto	17 Dec. –	59	4 Dec. –	60	1	-	24	15	ditto.
Phœnix	ditto	16 Dec. –	61	29 Dec. –	42	-	19	24	15	ditto.
Mount Pleasant	ditto	2 Dec. –	108	1 Dec. –	52	-	56	24	9	ditto.
Fish River	ditto	5 Dec. –	80	1 Dec. –	70	-	10	24	16	ditto.
Cambelton	ditto	16 Dec. –	68	16 Dec. –	45	-	3	24	16	ditto.
Orange Bay	ditto	28 Oct. –	125	10 Nov. –	118	-	7	24	16	ditto.
Rhodes Hall	ditto	1 Dec. –	61	1 Dec. –	59	-	2	24	16	ditto.
Abingdon	ditto	4 Dec. –	56	1 Dec. –	43	-	13	24	13	ditto.
Haughton Hall	ditto	31 Dec. –	72	1 Dec. –	67	-	5	24	16	ditto.
Harding Hall	ditto	1 Dec. –	51	1 Dec. –	54	3	-	24	12	ditto.
Industry	ditto	1 Dec. –	87	1 Dec. –	54	-	33	24	16	ditto.
Caldwell	ditto	2 Oct. –	67	5 Nov. –	60 ½	-	6 ½	24	16	ditto.
Spring	ditto	6 Nov. –	72	16 Oct. –	58	-	14	24	12	ditto.
Cousin's Grove	ditto	15 Nov. –	62	1 Dec. –	47	-	15	24	16	ditto.
Blenheim	ditto	4 Dec. –	115	3 Dec. –	146	31	-	24	18	ditto.
Haughton Tower	ditto	5 Dec. –	113	1 Dec. –	87	-	26	24	18	ditto.
Paradise	ditto	4 Dec. –	116 ½	1 Dec. –	84 ½	-	22	24	16	ditto.
Bell River	ditto	2 Dec. –	125 ½	10 Dec. –	74	-	51 ½	24	16	ditto.
Wood Church	ditto	18 Dec. –	54	11 Dec. –	44	-	10	24	16	ditto.
Prospect	ditto	1 Dec. –	143	1 Dec. –	104	-	39	24	16	ditto.
Eardley	ditto	1 Jan. 1834	40	1 Feb. 1835	21	-	19	24	16	ditto.
Good Hope	Trelawney	11 Feb. –	5	24 Jan. –	26	19	-	24	16	ditto.
Merry Wood	ditto	1 March –	-	1 Feb. –	28	28	-	24	16	ditto.
Pantrepant	ditto	4 Jan. –	45	13 Dec. 1834	60	15	-	24	16	ditto.
Wales	ditto	1 Mar. –	-	10 Jan. 1835	38	35	-	24	16	ditto.
Lansquenet	ditto	1 Mar. –	-	10 Jan. –	34	34	-	24	16	ditto.
Potosi	ditto	1 Mar. –	-	17 Jan. –	32	32	-	24	16	ditto.
Fontabelle	ditto	30 Jan. –	30	21 Jan. –	27	-	3	24	16	ditto.
Schawfield	ditto	5 Mar. –	-	14 Feb. –	10	10	-	18	16	ditto.
Cambridge	ditto	3 Feb –	31	2 Feb. –	14	-	17	24	16	ditto.
Covey	ditto	1 Feb. –	7	3 Jan. –	49	42	-	24	16	ditto.
Jock's Lodge	ditto	11 Feb. –	12	2 Feb. –	6	-	6	12	9	ditto.
Reserve	ditto	24 Feb. –	5	17 Feb. –	8	3	-	24	16	ditto.
Retreat	ditto	17 Feb. –	10	26 Jan. –	28	18	-	24	16	ditto.
Hampstead	ditto	12 Feb. –	26	23 Feb. –	9	-	17	24	16	ditto.
Chester	ditto	24 Jan. –	28	3 Feb. –	14	-	14	24	16	ditto.
Gale's Valley	ditto	10 Feb. –	34	18 Jan. –	48	14	-	16	16	ditto.
York	ditto	27 Jan. –	50	19 Jan. –	33	-	17	16	16	ditto.
Western Favel	ditto	3 Feb. –	44	21 Jan. –	35	-	9	20	18	ditto.
Phœnix	ditto	10 Feb. –	20	26 Jan. –	18	-	2	24	18	ditto.
Bunkershill	ditto	30 Jan. –	30	18 Feb. –	10	-	20	24	24	ditto.
Unity	ditto	20 Jan. –	39	27 Jan. –	22	-	17	24	16	ditto.
Dromilly	ditto	17 Feb. –	15	23 Feb. –	4	-	11	16	16	ditto.
Providence	ditto	21 Jan. –	24	9 Feb. –	21	-	3	24	9	ditto.
Iron Shore	ditto	24 Feb. –	6	10 Feb. –	12	6	-	24	16	ditto.
Running Gut	ditto	19 Feb. –	17	1 Feb. –	15	-	2	18	16	ditto.
Cinnamon Hill	ditto	11 Dec. 1833	49	5 Jan. –	64	15	-	14	8	ditto.
Catherine Mount	ditto	6 Jan. 1834	38	28 Jan. –	8	-	30	24	16	ditto.
Fairfield	ditto	11 Jan. –	89	14 Jan. –	54	-	35	24	16	ditto.
Bellfield	ditto	27 Jan. –	36	21 Jan. –	25	-	11	24	16	ditto.
Kirkpatrick Hall	ditto	13 Dec. 1833	30	21 Jan. –	28	-	2	24	16	ditto.
Orange	ditto	18 Nov. –	13	26 Jan. –	38	25	-	24	16	ditto.
Leogan	ditto	27 Jan. 1834	9 ¼	12 Jan. –	16	6 ¼	-	24	16	ditto.
Irwin	ditto	18 Jan. –	8	17 Jan. –	61	53	-	24	16	ditto.
Hartfield	ditto	17 Feb. –	13	10 Feb. –	12	-	1	24	16	ditto.
Green Pond	ditto	3 Feb. –	25	15 Feb. –	20	-	5	12	12	ditto.
Retreat	ditto	17 Feb. –	6	12 Jan. –	11	5	-	24	12	ditto.
Unity Hall	ditto	15 Jan. –	60	5 Jan. –	64	4	-	10	8	ditto.
Spring Garden	ditto	16 Jan. –	41 ½	13 Jan. –	28 ½	-	13	24	8	ditto.
Salt Spring	ditto	21 Jan. –	25	28 Jan. –	11	-	14	16	8	ditto.
Portobello	ditto	27 Jan. –	18 ½	27 Jan. –	18	-	- ⅓	14	9	ditto.
Barrett Hall	ditto	17 Jan. –	55	9 Feb. –	13	-	42	12	8	ditto.
More Park	St. James	3 Feb. –	28	19 Jan. –	39	11	-	24	16	ditto.
Windsor Lodge	ditto	1 Jan. –	53 ½	5 Jan. –	54 ½	1	-	24	16	ditto.
Paisley	ditto	18 Feb. –	9	26 Jan. –	23 ½	14	-	24	16	ditto.
Glasgow	ditto	15 Jan. –	43 ½	14 Jan. –	42 ½	-	1	24	16	ditto.
Industry	ditto	14 Jan –	25	14 Jan. 1835	17	-	8	24	16	ditto.
Williamsfield	ditto	1 Jan. –	63	16 Dec. 1834	35	-	28	24	16	ditto.
Sunderland	ditto	6 Jan. –	42	6 Jan. 1835	24	-	18	24	16	ditto.
Guilsbro'	ditto	1 Jan. –	58	4 Jan. –	46	-	12	24	16	ditto.

ESTATES.	PARISHES.	Commenced for 1834.	Sugar made 1834.	Commenced for 1835.	Sugar made 1835.	Increase.	Decrease.	Hours Labour 1834.	Hours Labour 1835.	—
			Hhds.		*Hhds.*	*Hhds.*	*Hhds.*			1834–5.
Flamstead	St. James	3 Dec. 1833	62	3 Jan. 1835	20	-	42	24	16	6 & 5 days.
Leyden	ditto	18 Dec. –	103	6 Jan. –	49	-	54	24	16	ditto.
Catherine Hall	ditto	6 Jan. 1834	55	22 Jan. –	21	-	34	24	16	ditto.
Blue-hole and Moreland	ditto	6 Jan. –	71	5 Jan. –	42	-	29	24	16	ditto.
Lima	ditto	22 Jan. –	41	14 Jan. –	52	11	-	24	16	ditto.
Eden	ditto	22 Jan. –	40	10 Jan. –	30	-	10	24	16	ditto.
Childermas	ditto	18 Jan. –	40	12 Jan. –	21 ½	-	18 ½	24	16	ditto.
Kent	Trelawney	4 Jan. –	34	13 Jan. –	39	5	-	24	16	ditto.
Golden Grove	ditto	27 Jan. –	37	19 Jan. –	41	4	-	24	16	ditto.
Arguile	Hanover	6 Jan. –	94	15 Jan. –	45 ½	-	49 ½	24	16	ditto.
Alexandria	ditto	6 Jan. –	88	5 Jan. –	68	-	20	24	16	ditto.
Old Retrieve	ditto	4 Dec. 1833	96	1 Dec. 1834	108	12	-	24	16	ditto.
New Retrieve	ditto	5 Dec. –	107 ½	1 Dec. –	82 ½	-	25	24	16	ditto.
New Paradise	ditto	5 Dec. –	113 ½	3 Dec. –	84 ½	-	29	24	16	ditto.
Rest	St. John's	11 Jan. 1834	22	20 Jan. 1835	20	-	2	24	16	ditto.
Thetford	ditto	9 Jan. –	25	5 Jan. –	35	10	-	24	16	ditto.
Airy Castle	St. Andrew's	25 Nov. 1833	30	12 Jan. –	16	-	14	24	16	ditto.
Cardiff	St. Mary's	28 Jan. 1834	81	1 Feb. –	62	-	19	24	16	ditto.
Spring Valley	ditto	28 Oct. 1833	71	28 Oct. 1834	66	-	5	24	16	ditto.
Williamsfield	St. Thomas in the East	10 Dec. –	20 ½	11 Dec. –	6	-	14 ½	24	16	ditto.
Hart Hill	St. George	9 Jan. 1834	12	19 Jan. 1835	17	5	-	24	16	ditto.
Edenton	Trelawney	26 Jan. –	57 ½	27 Jan. –	54	-	3	24	16 *	*Hogshead sugar much larger.

Enclosure 2, in No. 41.

EXTRACT of a LETTER from *Matthew Farquharson*, Esq., dated Spring Mount, 14 April 1835.

I AM happy in adding that the estates under my charge are all doing well, seldom having occasion for the interference of the special magistrate. At Salt Savanna estate, Vere, we have averaged 10 hogsheads sugar weekly for six weeks, with a 10-horse power engine, one set of coppers, five in number; at Low Ground, Clarendon, nine hogsheads sugar weekly for three weeks, water-mill and five coppers, commencing early in the morning and stopping the mill before eight at night: both these estates belong to Mr. Wildman. We are in fact doing much better under the present than the old system, upon Mr. W.'s properties. Enclosure 2, in No. 41.

My Lord, Crawle River, Great House, 15 April 1835.

I HAVE the honour to forward the usual weekly reports, and I am sure it will prove satisfactory to your Lordship to observe, that on 18 important estates, the sheet does not exhibit a single complaint; and that the opinion I expressed to your Lordship last week of the apprentices, is borne out by the few punishments of this.

I have. &c.
(signed) *T. A. Dillon*,
Stipendiary Special Justice, Clarendon.

— No. 42. —

COPY of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo*. No. 42.

My Lord, Downing-street, 10 March 1835.

I HAVE the honour to transmit to your Lordship extracts of an Order of The House of Commons, dated the 10th instant, calling for various Returns connected with the Island of Jamaica, which this Department has not the means of supplying without a previous reference to your Lordship; and I am to request that your Lordship will direct these Returns to be prepared and forwarded to me with as little delay as possible.

I have, &c.
(signed) *Aberdeen*.

JAMAICA.

Enclosure in No. 42.

Enclosure in No. 42.

EXTRACTS from an ADDRESS of the Honourable The House of Commons, dated 10 March 1835;—for

COPIES of all public letters, proclamations, issued by the Earl of Mulgrave and the Marquess of Sligo;—and

An Account of tread-mills and houses of correction erected in each parish in Jamaica, since the Abolition Act; and the dates of their erection respectively.

— No. 43. —

No. 43.

COPY of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

My Lord, The King's House, Jamaica, 14 May 1835.

IN obedience to the instructions contained in your Lordship's Despatch of 10th March, I have now the honour to enclose a Return of the number of houses of correction and tread-mills in the several parishes of this Island; also copies of the various Proclamations issued, a list of which I enclose.

I have, &c.

(signed) *Sligo*.

Enclosure 1, in No. 43.

Enclosure 1, in No. 43.

LIST of HOUSES of CORRECTION and TREAD-MILLS in Jamaica.

The Tread-mills have been erected since the passing of the Abolition Act.

The Houses of Correction, with the exception of St. David's, were all built previously, but have in several instances been enlarged since, and solitary cells added to the establishment.

	PARISHES.	Houses of Correction.	Tread-mills.	REMARKS.
Precinct.	St. Catherine	One	One	—
Precinct.	St. Dorothy	None	None	-- These parishes are a part of the precinct of St. Catherine.
Precinct.	St. John	None	None	
	St. Thomas in the Vale	One	One	—
	Clarendon	One	One	—
	Vere	One	One	—
	Manchester	One	-	-- One contracted for.
	St. Ann	One	One	—
	St. Mary	One	-	-- A tread-mill contracted for.
	Kingston	One	One	
	Port Royal	One	None	—
	St. Andrew	One	—	
Precinct.	St. Thomas in the East	One	-	-- A tread-mill contracted for, but not finished.
Precinct.	St. David	One	-	-- House of correction built since the passing of the Abolition Act.
	St. George	One	None	
	Portland	One	-	-- A tread-mill has been sent for from England.
	Trelawny	One	One	
	St. James	One	One	—
	Hanover	One	One	—
	Westmorland	One	One	—
	St. Elizabeth	One	One	—

Enclosure 2, in No. 43.

Enclosure 2, in No. 43.

A LIST of PROCLAMATIONS, &c. issued by the Earl of *Mulgrave* and the Marquess of *Sligo*, relative to the ABOLITION of SLAVERY.

* Printed with the Abolition Papers, Part 1, page 10.

* HIS MAJESTY'S Proclamation explanatory of the Measures enacted by the Imperial Parliament for the Abolition of Slavery, dated 4th September 1833.

The Earl of Mulgrave's Proclamation to the Slave Population, announcing to them the measures in progress for their benefit, and impressing upon them the necessity of orderly conduct and obedience to their masters, dated 29th June 1833.

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The Earl of Mulgrave's Farewell Address to the Negro Population, dated 22d February 1834.

* The Marquess of Sligo's Proclamation, declaring that adequate and satisfactory provision had been made by law in this Island for giving effect to the British Abolition Act, dated 10th April 1834.

*Printed with the Abolition Papers, Part 1, page 40.

† The Marquess of Sligo's Letter of Advice to the Negro Population; copy transmitted in Despatch 27th May 1834.

†Printed with the Abolition Papers, Part 1, page 41.

The Marquess of Sligo's Proclamation to all Runaway Slaves, granting them a general amnesty, if they surrendered themselves on the 1st August 1834; dated 14th July 1834.

The Marquess of Sligo's Letter of Advice to the Apprentices, issued August 1834.

Enclosure 3, in No. 43.

Jamaica, ss.

Enclosure 3, in No. 43.

By His Excellency the Right Honourable *Constantine Henry* Earl of *Mulgrave*, &c. &c. &c.

WHEREAS His Majesty has been most graciously pleased to take into his consideration a plan for changing the system under which slavery at present exists in these his dominions: And whereas it is His Majesty's most anxious desire to improve and benefit the slave population of this Island, in such manner as may seem most compatible with the interest of their owners in their services: And whereas it may be necessary to guard against any erroneous impression in the minds of the slave population of this Island, and in order that they should be fully aware that His Majesty's gracious designs in their behalf are only regulated and restricted by the consideration of their own good, and that any misconduct or insubordination at the present moment must have the effect of retarding or possibly frustrating such His Majesty's intentions:—I do now therefore issue this my Proclamation, and do hereby call upon all His Majesty's subjects in this Island to render due obedience to the laws, and to the orders of all constituted authorities; and I do charge and recommend all His Majesty's slave population in this Island, that they do render all due obedience to their masters, and to the several and respective constituted authorities of this Island: And I do hereby declare, that when His Majesty's gracious intentions with regard to the slave population become law, it is to me, His Majesty's Representative, that they are to look for information on the subject: And I do further declare, that it will be my especial care, either by myself personally, or through those commissioned by me, that all the conditions of change in the situation of the slave population shall then be fully communicated and explained to them; and in the meantime I do hereby enjoin patience as to the result, and confidence in those the gracious intentions of the Sovereign on their behalf, with that unfailing respect to his authority, which requires implicit obedience to the lawful commands of their masters: And I do most solemnly warn and admonish them the said slave population, or any other person or persons within this Island, against engaging in any act or deed of violence or insubordination against the said constituted authorities, or against any of His Majesty's subjects whomsoever: And I do hereby declare and make known to all persons whomsoever within this Island, that by so doing they will expose themselves to the severest penalties of the laws: And I do hereby charge and command the several custodes and magistrates, and all others His Majesty's subjects in this Island, to give the fullest publicity to this my Proclamation.

Given under my hand and seal at arms, at St. Jago de la Vega, this 29th day of June, in the year of our Lord 1833, and in the fourth year of His Majesty's reign.

(signed) *Mulgrave.*

Enclosure 4, in No. 43.

Jamaica, ss.

Enclosure 4, in No. 43.

A PROCLAMATION,

By His Excellency the Right Honourable *Constantine Henry* Earl of *Mulgrave*, &c., Captain-General and Governor-in-Chief of His Majesty's Islands of Jamaica and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

WHEREAS His Majesty, in accepting my resignation, tendered by me in consequence of ill health, has been most graciously pleased to desire my presence in England forthwith, I therefore at once issue this my Proclamation, in order that there may not exist the slightest doubt or misunderstanding as to the future in the minds of the negro population, to whom I not long since explained the change that is about to take place in their condition; and to you, the negro population of this Island, I do now hereby especially address myself, lest any one of you who then heard me should imagine that my personal absence from the Island could prevent the fulfilment of the assurances I then gave you, at the very time and to the same extent I then mentioned. What I then stated to you I now repeat: the first great change in your condition, that of apprenticeship, commences on the 1st of August next. The Act has passed; your final emancipation at the subsequent

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period fixed is secure, else could I not have left the Island with the satisfaction I now derive from that certainty, confirmed by the conviction that the noble person who will succeed me will have the same anxious solicitude for your welfare. Only recollect what I then endeavoured to impress upon your attention, that it would be by your own bad conduct that you could alone forfeit the benefit of the great boon which awaits you. The first advice I then gave to you, that of obedience to your masters and diligence in their service, I am happy to have this opportunity of declaring that you have universally followed in the most praiseworthy manner. This I shall not fail to report in the presence of that gracious Sovereign with whose Government the projected change in your behalf originated, and in the centre of that British people by whose active sympathies that boon was obtained. Let me continue to hear of the zealous perseverance in the same good conduct on your parts; and though absent in person, yet in mind and in heart I shall still be amongst you on the 1st of next August; and shall, through all the progressive changes which may attend your improved condition, humbly but fervently trust, that by the blessing of Divine Providence you may continue to merit his protection. And further, I do hereby charge and command the several custodes and magistrates, and all others His Majesty's subjects in this Island, to give the fullest publicity to this my Proclamation.

Given under my hand and seal at arms, at St. Jago de la Vega, this 22d day of February in the year of our Lord 1834, and in the fourth year of His Majesty's reign.

(signed) *Mulgrave.*

Enclosure 5, in No. 43.

Jamaica, ss. A PROCLAMATION,

By His Excellency the Most Noble *Howe Peter* Marquess of *Sligo*, &c. &c. &c.

To all Runaway Slaves throughout the Island of Jamaica:

Enclosure 5, in No. 43.

WHEREAS it has been represented to me, that several slaves having run away are now absent from their owners, and are secreted on different parts of this Island, to the great detriment of the community; and it appearing to me expedient to break up all such unlawful associations, I have therefore thought fit to issue this my proclamation, promising and assuring His Majesty's most gracious pardon to any runaway slave who shall have been guilty of no other offence against the laws, except leaving his or her master or mistress's service; provided nevertheless, that such slave shall surrender him or herself between the hours of sunrise and sunset, on the 1st day of August next, to any one of the special justices appointed by His Majesty for the settlement of disputes between masters and apprentices subsequent to the 31st day of July; and such special justice is hereby authorized and required to grant to each slave so surrendering, a certificate of His Majesty's most gracious pardon, according to this my proclamation, so far as his or her absconding from his or her owner is concerned: provided always, that such individual shall return, after having received such certificate, to his or her master or mistress, and quietly submit and obey all lawful commands, and pay due attention to his or her duties as apprentices, otherwise such certificate to be null and void.

All runaway slaves are hereby warned and informed, that this is the last opportunity which can be afforded them of coming in upon a general amnesty; and that all such as do not take advantage of the same, will hereafter be dealt with according to law.

I do, therefore, seriously call upon all such slaves, and admonish and advise them, to avail themselves of this opportunity of the extension of His Majesty's royal clemency towards them, and thereby to secure to themselves the advantages which the 1st of August will give to the remainder of the slave population of this Island.

I do hereby, moreover, recommend to all slave-owners, managers and others, not to punish or bring to trial any of their slaves who shall or may return to their service on any day previous to the said 1st day of August next; and that they make known their intention of so doing in the most public manner, to the slaves on their several estates and properties.

Given under my hand and seal at arms, at St. Jago de la Vega, the 14th day of July, A. D. 1834.

(signed) *Sligo.*

Enclosure 6, in No. 43.

To the newly made Apprentices of Jamaica:

Enclosure 6, in No. 43.

THE 1st of August has passed over, and you are no longer slaves. You have been raised by the generosity and humanity of the British nation, and of those who had power over you, from a state of slavery to that of apprenticeship. On yourselves alone it now depends, under the blessing of Divine Providence, whether you pass a happy and short period of apprenticeship, and then become entire masters of your own time, or whether you are continued, in consequence of your own misconduct, some time longer without that great blessing. If you misbehave, you will see your friends who are around you, and who have conducted themselves

selves faithfully and well, their own masters, and working for the benefit of their own families; while you will still be apprentices, and forced by the law to work for your master's advantage. I am sure that you will not be so foolish as to postpone, by your own conduct, the enjoyment of perfect freedom.

You who are what is called non-predial apprentices, that is house servants, and such others as will be pointed out by the special magistrates, will cease to be apprentices in four years' time, that is on the 1st August 1838, unless by your own misconduct you delay it longer. You will be released from your apprenticeships two years sooner than the predial or plantation apprentices; but in return for this advantage, you must, while you are apprentices, give your master the whole of your time, just as any hired servant does. If you absent yourselves from his service, though your master cannot punish you now himself, as he was empowered to do when you were slaves, you will be liable to be punished by the order of a special magistrate. I advise you therefore to pay the most diligent attention to your duties; serve your masters with cheerfulness, and with the gratitude which they deserve. By doing so you will in a few short years enjoy every privilege which any other persons in this Island, being British subjects, possess. You who are predial apprentices, or those employed on the estates in the cultivation of the soil, or the manufacture of its produce, have six years to serve; but then you have the great advantage of having but a small portion of your time to give to your masters. Your master cannot claim more than 40 ½ hours of your time in each week, except in two cases; but then he has a right to divide this 40 ½ hours in such reasonable manner as he pleases, between the first five days of the week, beginning with Monday, so however that he does not compel you to work more than nine hours in each day, except in cases of hurricane, tempest, earthquake, flood, fire, or other misfortune the act of God.

The two occasions on which your master can require more than 40 ½ hours in each week are, first, in cases of hurricane, tempest, earthquake, flood, fire, or other misfortune the act of God, when he may employ you during the emergency: second, at such period of the year as your master may deem it necessary for the cultivation of the estate or plantation. The gathering in of the crop, or its manufacture, he may call on you to work the 4 ½ hours additional per week, but then he must repay you that time at a convenient period of the year, and not at the rate of more than three days together at one time.

I recommend to your masters to settle that you should work eight hours a day each Monday, Tuesday, Wednesday and Thursday, and 8 ½ hours each Friday. The Saturday and Sunday in all cases you will have to yourselves, besides all the hours of rest which you get each day. There are 168 hours in each week, out of which you will have to give to your masters only 40 ½ hours, and have 127 ½ hours at your own disposal. Your master must give you clothes, provision grounds, and medical attendance if you are sick. I hope that you will give him cheerfully and willingly the very small portion of your time which he is entitled to.

It is provided by law, that you who are predial unattached, or jobbers, shall still continue to work in the same manner, namely, as jobbers; but you are entitled to the same privileges as those who are settled on an estate, in point of hours of labour, and to the same supplies of clothing and medicines, besides sufficient provision ground or provisions.

Neither your master, your overseer, your bookkeeper, your driver, nor any other person can strike you, or put you into the stocks, nor can you be punished at all except by the order of a special magistrate. If any person, without such authority, shall raise a hand to you, or put you into the stocks, he will be liable to be severely punished himself. If you behave badly, your master or any special constable may put you into a cell or place of confinement, but not for more than 24 hours; and if a special magistrate shall not have visited such estate before those 24 hours shall have expired, he must release you, but he must bring forward his complaint against you the first time that a magistrate does visit the property; thus, though you may be released, you will still be liable to be punished for any misconduct; and your master also will be liable to be punished if he shall have improperly confined you.

I am your sincere well wisher; I have been sent out by your King to see that justice is done to all parties. When you are in the right you will be protected; whoever is in the wrong will be punished. I advise you, as the best way to ensure your happiness, to make your masters your first friends. By following their advice, you will be most likely to act as you ought. Should you, however, be oppressed by any one, go at once to a special magistrate, and he will redress any wrong you may have sustained.

Before I conclude, I wish to say one word to such of you as have been selected by your masters to be plantation constables; to have been chosen by them on this occasion is strong proof of the good opinion they entertain of you; I hope that you will not betray their confidence, but will, by your zealous and honest conduct, show that you are worthy of the distinction which you have received. In after life the character you will then have acquired, will most probably be of the greatest benefit to you.

I am your sincere Friend,

(signed) *Sligo*, Governor of Jamaica.

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No. 44.

— No. 44. —

Copy of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*.

The King's House, St. Jago de la Vega,
My Lord, 20 May 1835.

I have the honour to enclose to you a memorial sent to me by the custos of Trelawney, with a request that it should be sent to you, and the object of it promoted. I have so often declared myself a friend to emigration, that it is unnecessary for me to repeat the same sentiment.

With regard to the correctness of the statements contained, I request not to be supposed to give my assent. As far as the sugar crop is concerned, in spite of the wettest season ever known early in the year, which prevented crop commencing, and very dry weather since, which has been much complained of, I have reason to think that the crop, even in that parish, will be an average one. With regard to the preparations for the next year I am not so confident, and have issued a circular to the special justices, to make to me particular reports upon the state of their respective districts. As soon as I shall receive them the result shall be communicated to you, but I do not expect to have them before a month; and I have heard that the overseers on properties have evinced a singular dislike to all these inquiries from the special magistrates, so that, even then, it may not be as perfect as I could wish.

Your Lordship will remember that all along I have expressed some doubts as to this point.

I have, &c.
(signed) *Sligo*.

Enclosure in No. 44.

To His Excellency the Most Noble *Howe Peter* Marquess of *Sligo*, Captain-General and Governor-in-Chief of this His Majesty's Island of Jamaica, &c. &c. &c.

The Memorial of Proprietors, Planters, and others concerned in the management of Plantations in the Parish of Trelawney,

Humbly showeth,

That the apprenticeship system in this Island, established under the Abolition Act, has, after nine months' trial, confirmed the anticipations of all practical men of its ruinous consequences; and your memorialists have now the miserable prospect before them that, in a short period, the cultivation of the staple productions of this Island must cease.

Notwithstanding that the seasons have been most propitious, and with the advantage of former years' labour, the present sugar crop does not promise to be even an average one; solely occasioned, as your memorialists are convinced, by the very small portion of labour that has been obtained from the negroes since the commencement of the apprenticeship system.

Your memorialists beg leave to state, that all the work which can now be got from apprentices, even with a liberal price paid to them for their own time, is confined exclusively to the manufacturing of sugar; and from the consequent neglect of the cane field, the usual plant canes have not been established, nor the ratoon canes or grass fields duly attended to. The falling off in the next year's crop must necessarily be serious; and the same evil will annually increase until it terminates by the gradual throwing up of sugar estates, notwithstanding the assertions to the contrary of inexperienced persons, who flatter themselves with false hopes.

Your memorialists therefore, after having given the subject their most earnest consideration, are of opinion, that the only chance now left of continuing this Island as a valuable colony to Great Britain, is by the settlement of white families in the interior, where the climate is so temperate that Europeans can perform all the labour required in the cultivation of coffee, ginger, provisions, and the minor products. In due time the males would form a valuable body of police, and might occasionally be employed on sugar estates and other plantations, where, by their industry, they would set a good example to the apprentices; and by having pre-occupied such lands, they would prevent the idle and dissolute negroes from making them places of resort when the period of absolute freedom arrives.

From the impoverished and limited means of the country, your memorialists are aware that it is in vain to hope that the expense of importing emigrants, and establishing them in the interior, can be defrayed by the Island revenue; they therefore most humbly implore and

and entreat your Excellency to solicit the aid of the mother country, in promoting an object of such vital importance as that of securing the peace and safety of all classes of His Majesty's subjects, and as being the most likely means of continuing, though on a smaller scale, the cultivation of the staple products which yield so large a revenue to Great Britain.

(Signed by 73 persons.)

— No. 45. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State, dated King's House, St. Jago de la Vega, 23 May 1835.

No. 45.

SINCE communicating to you the memorial of the custos and gentry of Trelawney, I have received the enclosed letters from the special magistrates of that parish, altogether denying the assertion of the meeting and the words of the custos. I have thought it necessary to send you these, as Mr. Miller is about to return home to England in a few days, and will confirm the statements of the meeting, when he arrives there.

Enclosure 1, in No. 45.

EXTRACT of a LETTER from *R. C. Pennell*, Esq., Special Justice, to His Excellency the Marquess of *Sligo*, dated Rio Bueno, 19 May 1835.

Enclosure 1, in No. 45.

I HAVE the honour to acknowledge the receipt of a letter dated 15 inst., No. 2529, expressive of the pain with which your Excellency has received a report from the custos of Trelawney, that the preparations for the crop of next year have been entirely neglected; and requiring from me a weekly report thereon, which I shall not fail to attend to.

I would nevertheless take the liberty of calling your Excellency's attention to my report on this head of the 28th ultimo, which I believe to be substantially correct, in spite of what the custos or any other gentleman may say.

I find it necessary here to enter at some length on a subject for which I shall require your Excellency's indulgence, and without which your Lordship will not be able so fully to understand the information I may from time to time have to communicate.

Previous to my arrival in Jamaica, I do not believe there existed an individual, not even the honourable custos of Trelawney, so opposed to the measures adopted for the emancipation of the negroes throughout the West Indies as myself. These objections were founded on the experience I had obtained of slavery in the Brazil, from which I had drawn comparisons very erroneous, and I had come to conclusions which I now find to have been equally so. I had not considered, because I was not then aware, of the very great difference which exists between the negro just imported from Africa, and the one born and bred in the colony, and, in many instances, for several generations; but after a very short residence in my district I soon perceived my error, and am now fully convinced that, had not the British Government adopted the measures they did with regard to this Island, it would soon have been exacted from them. Two things must, however, inevitably result from this measure: first, the loss to a few individuals of immense incomes derived from their West India properties; secondly, a heavy loss henceforward to those gentlemen resident in the Islands who have hitherto realized considerable property by having charge of such estates.

The great evil, in my humble opinion, is, that the apprentices are allowed too much time to themselves, more than is necessary for the cultivation of their grounds; so that they may so far be said to be encouraged in habits of indolence. It is in vain to look for the same quantity of work being done in nine hours as was formerly done in 18; and yet I have seen estates' books, where the average of labour for 24 hours, during crop time, for the last four years, does not exceed what is now performed in the nine hours. There are the books, and in both instances the average has been ten syphons of liquor ground.

I may here observe, that insinuations have been thrown out that the special justices purposely make misrepresentations to your Excellency, and would be very unwilling that their reports should meet the eye of the public. As one of the body of the special justices, I have only to say, that I should not care if your Excellency ordered my reports to be printed. I can have no object in purposely making mis-statements to your Excellency; if they are erroneous, they are errors in judgment.

Industry.

If everything is going on so very bad as is represented by some in the parish of Trelawney, how is it the special justice has only one complaint during the last week (as will be seen by his

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his report), of an insufficient quantity of labour; and that at Manchester estate, where the overseer told the writer it was* because he had never brought a case before a justice but one, since the 1st August?

* It was at Mr. P.'s desire it was then brought.

The overseers in many instances have been reprimanded for affording information to the special justices respecting their preparations for the next year's crop. Why this desire of preventing the magistrates from being *au fait* at what is going on and what is doing in the estates? The special justices are accused of giving false information to Government. Does not this lead me to believe the contrary?

(Remarks made by *R. C. Pennell*, Special Justice, 19 May 1835.)

Enclosure 2, in No. 45.

My Lord Marquess, Falmouth, 18 May 1835.

Enclosure 2, in No. 45.

I HAVE the honour to state to your Excellency, in allusion to the report made by the custos of Trelawney, that the preparations for the crop of next year in the parish have been entirely neglected; I beg to say that statement is not borne out by the fact, as your Excellency will observe by my former report made out to April 25th ult. That information was obtained by me on the respective properties, at which the attorneys feel rather indignant, supposing it should have come from themselves, and it is not for the good of the community that they and their overseer should come in collision. But the truth your Excellency may find will amount to this;—in those parts of the island where the people have not been paid for their additional time, cultivation cannot be in a forward state, and of course there will be many complaints; but where they have been paid it will be otherwise, and the intelligent on estates are perfectly aware how cultivation ought to be carried on. All is quiet in this part; but I beg your Excellency's attention to the very gross misconduct of the emigrants, and the bad effect it will have on the negro population.

I have, &c.

(signed) *Thos. Davis*, Special Justice.

Enclosure 3, in No. 45.

My Lord, Rio Bueno, 18 May 1835.

Enclosure 3, in No. 45.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 15th inst., No. 2531, wherein your Excellency expresses that it is with pain you have seen a report made by the custos of this parish, that the preparation for the crop of next year has been entirely neglected. On my visiting the different properties in this district, which I have done, nearly the whole, within the week, I must say that the charge is not true. The Hon. Mr. Miller has found fault with his overseers for giving the information, agreeable to your Excellency's circular of the 17th April; mentioning that they ought to have referred us to him.

I shall furnish your Excellency with a statement weekly of my inquiries on the properties in my district, until completed.

I have, &c.

(signed) *D. Hawkins*, Special Justice.

Enclosure 4, in No. 45.

EXTRACT of a LETTER from *S. Pryce*, Esq., Special Justice, to His Excellency the Marquess of *Sligo*, dated Top Hill Pen, Trelawney, 19 May 1835.

Enclosure 4, in No. 45.

I HAVE had the honour to receive your Excellency's communications under date 11th, 13th, and 15th inst.; and your Lordship's instructions shall have my immediate and particular attention.

I shall have great pleasure in forwarding to your Excellency a more particular return of the preparations for the ensuing crop; and I beg to mention that I have the original returns on which my last report was founded, in the handwriting of the individual planters.

I have great confidence in humbly submitting to your Excellency, that in my district, on every estate under provident and discreet management, the prospects for next year's crops are very flattering. Several estates will exceed, and many equal, the present year's returns.

Doubtless, my Lord, several estates will fall off considerably, partly from the system, and partly from the supineness of the planters themselves, many of whom, on my arrival in Trelawney, had reconciled themselves to a "total failure."

On one estate they have finished crop, and made 80 hogsheads sugar: the estimate was 160 hogsheads. So that your Excellency will perceive the new system will be burthened with a great number of evils, and serve to cover many faults, over which it could have had no control.

In submitting my weekly return of duty, which I hope may prove satisfactory to your Excellency,

Excellency, I subjoin a memorandum of the particular preparations on four estates for the next year's crop, by which your Excellency will at once perceive they have not been "totally" neglected.

S. P.

Enclosure 5, in No. 45.

Merrywood Estate, Trelawney.—(One of Tharp's estates.) 19 May 1835.

Last year's crop, 106 hogsheads; present year's crop 100, 60 made; next year's crop, 100 expected from appearances.

None planted, being a ratooning estate.

Hoe-ploughed and dunged 30 acres.

450 cartload of dung carried out; quality of produce remarkably good.

Apprentices reconciled to the system, and of late doing their work steadily. No punishments except for neglect of watch.

They appear to attend their grounds much as usual.

(signed) *Charles Perry*, Overseer.

The Good Hope Estate, Trelawney.—(One of Tharp's properties.) 19 May 1835.

Last year's crop, 150 hogsheads sugar; present year's 140, 110 made; next year's, 150 confidently expected, from present appearances, which are very favourable.

Planted and established 23 acres, 16 acres being penned over, and 7 dunged;—penned over the stock 10 acres;—supplied and dunged, 24.—Total 57.

550 loads of dung carried out since 1 Aug. for fall plant.

250 cartloads dung carried out for ratoons.

Quality of produce very good, took only one hogshead to repack 60 at the wharf.

Two-thirds of the pastures have not yet been cleared.

No stock lost in taking off the crop, not a mule, nor a steer; excepting one heifer from cough, one steer from accident.

The apprentices have become much more reconciled to the new law of late, and are doing their work steadily and well; and there have only been two of the apprentices slightly punished on the property since your arrival; and I believe they are paying every attention to their grounds.

They give me no trouble, and their general conduct is very satisfactory.

(signed) *John Dexter*, Overseer.

The apprentices are doing as much work as they ever did in the same time.

J. D.

Schawfield Estate, Trelawney.—(The Hon. R. Barrett, Attorney.) 19 May 1835.

Last year's crop, 55 hhds.; present year's, 90 hhds., 60 made; next year's, 120 hhds. confidently expected, present appearances being good.

None planted, being a ratooning estate.

Dunged and supplied 28 acres.

Penned over on the stock, six acres.

1,670 cartloads of dung carried out since 1 August.

No stock lost.

Produce excellent.

Pastures cleaned, 50 acres.

The apprentices are behaving considerably better than at first, and perform their work cheerfully. No punishment since the Saturday, on your first arrival.

(signed) *John Pullen*, Overseer.

Wales Estate, Trelawney.—(One of Tharp's Properties.) 19 May 1835.

Present crop, 150 hhds., 73 made; next year's, 160 hhds. confidently expected, present appearances being good.

None planted, being a ratooning estate.

Penned over on the stock, 15 acres;—supplied and dunged, 60 acres.—Total 75.

600 cartloads of dung carried out.

Quality of produce good.

None of the pastures as yet cleaned.

No stock lost in taking off the crop.

Two mules died from accident.

The apprentices are orderly and behaving well, going through their work cheerfully, and are now reconciled to the new law, which they understand better. We have only had two apprentices punished since your arrival in Trelawney, and that was for neglecting their watch.

I think they are paying more attention to their home grounds and houses than formerly.

(signed) *Geo. Scott*, Overseer.

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No. 46.

— No. 46. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Secretary of State for the Colonies, dated the King's House, St. Jago de la Vega, 24 May 1835.

AS the packet is to sail to-morrow, I have the honour of addressing you on the general state of the Island, which is, I am happy to say, as good as I could possibly wish it to be. I have lately reported the parish of St. James's to be in the worst state of any in the Island; it still remains under that stigma, but I am happy to say that it is improving every day; and in confirmation of that opinion, I have the honour to enclose you three letters I received last week from Messrs. Cocking, Finlayson and Farrar, three of the four stipendiary magistrates of that parish: from Mr. Cooper, the fourth, I did not hear nor receive any report, in consequence, I imagine, of indisposition. I also send you one from Mr. Lyon, of the parish of St. Thomas in the East, one from Mr. Theobald Dillon, of Clarendon, and one of Mr. Pennell, of Trelawney, which I have just laid my hands upon, as being satisfactory. The reports from all the other districts are similar, in point of the good conduct of the negroes; but I have selected these, because they cite positive facts and name places.

The planters complain very much of want of rain, the rains which usually arrive much earlier in the season not having yet fallen. There is therefore very little food for the cattle, which must to a certain degree retard the crop in some places. In others it has already been finished much sooner than in former years, and I still think that there will be an average one.

Enclosure in No. 46.

My Lord, St. James's, 11 May 1835.

IT affords me much pleasure in acquainting your Excellency of the pleasant feeling which continues to exist between master and apprentice, in my district. Some of the estates have nearly finished crop; it is supposed that most will, in about four weeks hence. This will enable the estates to have sufficient time to prepare for the plants, clean the rattoons and pastures in time for next year's crop.

I do not, my Lord, think that there will be much, if any, falling off in the ensuing crop if the apprentices continue to work as they are now doing, and I do not see the least apprehension to the contrary.

The apprentices on this estate turned out most willingly last Saturday to dig cane holes, and most of them earned 3*s*. 4*d*. each.

I have, &c.

To the Marquess of Sligo, &c. &c. (signed) *R. Cocking*, S. M.

My Lord, Montego Bay, 12 May 1835.

IN forwarding my report for last week, it affords me much pleasure to state that the labour of the apprentices in the district to which I have been attached is in a state of progressive improvement. This favourable change had commenced previously to my arrival, and it still continues. At Kirkpatrick-hall they made six hogsheads last week, and only five the previous week. At Moorpark they made 10 hogsheads last week, being more than they have done this season; and upon other properties they have maintained their full allowance of labour.

But I may mention that, in general, the field labour is behind. This may perhaps be in some measure attributed to the dryness of the season, though the managers of the estates ascribe it to the indolence of the apprentices. Of course I shall direct my attention particularly to this point. Indeed I am humbly of opinion that the cause of complaint might be partially obviated, by paying the apprentices for working some extra hours in field labour; I do not understand, however, that this is done upon any estate.

I have, &c.

To the Marquess of Sligo, &c. &c. (signed) *Walter Finlayson*, Spec. Justice.

My Lord, Houghton Grove, 11 May 1835.

I have the honour herewith to forward my diary of proceedings up to the 11th instant inclusive.

I have also the satisfaction of informing your Excellency that the apprentices in this district are conducting themselves much better than they have hitherto done, and I make no doubt they will now continue to evince a more cheerful disposition towards their employers, and I trust hereafter to have very few cases for adjudication.

I have, &c.

To the Marquess of Sligo, &c. &c. (signed) *Simeon Farrar*, Sp. Mag.

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My Lord, Lloyd's Estate, St. David, 13 May 1835.

I HAVE the honour herewith to transmit my diary for the past week.

The sugar crop in this district is rapidly progressing to a successful termination, notwithstanding the difficulty and severe impediment opposed by the long continuance of extremely dry weather. Greenwall has finished, and Garbrand Hall will have done so this week.

As I conceive it my duty occasionally to corroborate my general statements of the cheerfulness and industry of the apprentices by reference to particular instances, I cannot omit to mention (which fact I am sure is calculated to prove highly satisfactory to your Lordship), that the apprentices of Garbrand Hall estate have been within the last two weeks digging cane holes on hard and stoney land at the rate of 110 holes per individual daily; an amount never equalled by the same people during the existence of slavery, and I believe rarely exceeded anywhere on the lightest soils. This is an instance of excess of labour; but I am happy to have it in my power to observe that all the sugar estates around me exhibit cheerful industry in a degree, I think I may venture to say, unexampled in Jamaica.

I have, &c.

To the Marquess of Sligo, &c. &c. (signed) *Edm. B. Lyon*, Special Justice.

My Lord, Crawle River House, Clarendon, 11 May 1835.

I HAVE the honour to transmit the weekly report unstained by a single crime or complaint; and if I did not fear appearing too sanguine, it should be accompanied by a few remarks. As it is, I enclose it with sincere and respectful congratulations, it being a strong testimony of the success of your Excellency's administration.

The apprenticed in this district are working willing for money. The young canes are looking healthy, and the police appear effectual and well conducted.

I have, &c.

To the Marquess of Sligo, &c. &c. (signed) *Theob. Aug. Dillon*, S. J. P.

MEMORANDUM accompanying Special Justice *Pennell*'s Weekly Report, dated Industry, Parish Trelawney, 12 May 1835.

THE special justice knows instances in his district where the apprentices are so anxious to work for money, that the overseer holds out an inducement to good behaviour, their being allowed to work for money, and as a punishment will not allow them to work in their own time.

— No. 47. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right Honourable *Charles Grant*, dated the King's House, St. Jago de la Vega, 7 June 1835.

No. 47.

I HAVE the honour to inform you, that the general state of the Island has continued very satisfactory since my last letter. In only one instance has the emancipation of the Caymanas and Maroon apprentices caused any unpleasant feeling. I trust, however, that the explanations of the special justice at the scene of the discontent alluded to, will prevent their continuing under the misconception that they are to be all free in August. In all the other parts of the Island everything is going on admirably. This induces me rather to think that the late meeting at Falmouth has done some harm there. The rains have come down these last two weeks on the north side very abundantly, but here not sufficient for our purposes. The preparations for next year's crop are, as I have already foretold in many of my Despatches, much behindhand, but this proceeds from causes unconnected with any misconduct on the part of the negroes. I have called for particular reports on the subject, and as soon as I am able to procure them I will transmit to you the result. I beg to inform you that, owing to the exertions of the special justices, crime has much diminished. In order to present you with regular proof of the fact, I have commenced keeping an account, of which I send you now a copy for the last month. It includes the names of the parishes and magistrates in each, the number of miles the special justices have respectively travelled in each week of May, the number of estates they have visited, and the number where no complaints have been brought forward. This return will, I trust, prove satisfactory, and decide when contending representations are made to you. Though the number of complaints diminish, I beg to represent to you, that it by no means follows that the number of special justices can be comparatively diminished, of which I can

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give abundant proof in the fact that, in this town, since Mr. Clench's illness, the estates have not been visited, though the town business has been carried on by Mr. Ramsay; and that in consequence the number of cases is now more than treble what they were before. Mr. Moresby has, however, been called in to replace him, and has commenced the usual estate visits, and I trust that they will diminish ere long.

Enclosure in No. 47.

NAMES of Special Magistrates.	PARISHES.	Week ending 7th May 1835.			Week ending 14th May.			Week ending 21st May.			Week ending 28th May.		
		Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Number of Estates visited.	Estates on which there were no Complaints.
Clinch, James	St. Catherine's	20	5	3	21	8	7	38	11	6	-	dead.	
Ramsay, William	ditto	Police Duty.			270	17	16	Police Duty.			10	2	
M'Leod, A. N.	St. Dorothy	55	18	11	42	13	8	48	17	11	43	12	7
Baynes, E. D.	Saint John's	41	13	9	58	14	10	71	22	12	70	17	10
Baynes, Thomas	St. Tho^{s} in the Vale	73	20	8	92	21	17	80	17	9	70	13	14
Jones, S. W.	ditto	53	7	3	78	13	7	72	12	7	79	14	14
Dillon, Andrew	Saint Ann	179	42	37	120	30	28	161	34	33	107	27	24
Laidlaw, Henry	—	89	23	11	64	17	7	83	11	6	78	16	11
Rawlinson, S.	—	73	14	7	47	16	9	54	13	9	90	17	9
Sowley, W. H.	—	98	19	5	81	12	6	104	17	10	87	13	4
Marlton, W. F.	St. Mary	82	28	20	88	30	23	93	23	16	115	21	16
Jackson, James	—	159	20	2	74	14	7	35	5	2	65	12	9
Thomas, J. R.	—	68	30	16	68	16	9	59	19	10	37	7	3
Walsh, Henry	—	86	24	5	70	16	8	88	20	16	147	23	23
Alley, W. H.	Manchester	43	11	3	50	7	3	53	5	-	86	12	5
Colebrooke, Thomas	—	98	26	20	70	19	8	115	20	13	107	24	15
Welch, Arthur	—	110	28	24	102	29	27	62	15	14	111	20	19
Dillon, T. A.	Clarendon	64	14	8	65	13	13	86	13	10	68	9	6
Langrishe, R. J.	—	84	26	13	106	17	14	112	30	22	100	27	21
Haly, R. S.	—	76	11	4	45	12	9	-	17	10	63	7	4
Nolan, James	Vere	102	30	27	102	35	30	54	20	19	107	30	28
Connor, N. A.	Kingston	Has no Estates in Kingston.											
Norcott, William	Kingston	Has no Estates in Kingston.											
Bourne, Stephen	St. Andrew	97	11	5	73	13	6	101	11	3	44	8	1
Fitzgerald, Robert	—	-	-	-	-	-	-	88	13	9	18	4	1
Lloyd, Samuel	—	102	21	9	98	16	8	78	9	3	126	17	9
Kent, Henry	Port Royal	65	22	10	71	14	7	43	10	8	74	24	13
Palmer, A. L.	—	65	24	9	-	9	5	-	4	3	No Duty.		
Baines, T. J.	St. Tho^{s} in the East	64	12	10	61	11	7	58	8	6	48	9	7
Blake, Henry	—	58	10	1	35	9	3	37	11	4	59	16	8
Dawson, J. K.	—	42	19	13	58	29	20	51	21	16	42	19	16
Eveleigh, John	—	51	11	8	-	ill.	-	65	13	5	56	11	6
Lyon, E. B.	—	75	17	10	104	24	15	128	27	14	90	23	18
Dunne, Patrick	St. David	72	21	15	49	16	10	68	13	6	58	11	3
M'Gregor, Donald	Portland	41	19	10	44	15	7	45	18	12	48	16	11
Gillam, William	St. George	-	6	-	47	14	8	41	8	3	21	9	1
Hewitt, William	—	73	12	2	88	19	4	40	13	6	161	18	12
Fishbourne, E. E.	—	83	21	9	30	8	1	50	15	3	69	24	15
Cocking, Ralph	St. James	59	15	14	39	17	13	55	15	13	76	18	14
Cooper, R. S.	—	56	13	8	36	5	-	38	7	4	48	15	5
Finlayson, Walter	—	70	27	15	88	24	10	103	27	15	60	21	9
Farrar, Simeon	—	55	18	11	67	24	17	90	19	14	84	3	-
Davies, Thomas	Trelawney	35	10	6	37	11	9	35	11	8	40	14	13
Pryce, Samuel	—	71	37	32	84	34	26	71	32	21	No Return.		
Pennell, R. C.	—	68	17	9	76	14	5	65	13	10	72	12	7
Hawkins, Charles	—	68	21	12	58	22	14	81	21	13	69	21	14
Edwards, Bryan	Westmorland	102	23	18	83	15	10	77	20	17	98	24	23
Oliver, T. M.	—	77	9	7	34	7	-	81	13	4	104	18	11
Philp, E. D.	—	59	21	17	97	29	19	101	28	22	101	31	22
Bell, W. A.	St. Elizabeth	92	8	4	-	-	-	80	10	4	105	12	6
Daughtrey, John	—	55	13	4	60	8	4	59	13	11	71	17	14
Gurley, John	—	71	12	6	45	13	9	72	16	11	82	16	12
Reynolds, John	—	48	12	2	55	11	5	66	13	1	48	11	3
Hulme, J. R.	Hanover	73	30	20	75	20	16	94	32	26	90	24	17
Odell, John	—	23	11	6	49	19	16	41	21	13	30	11	5
Thompson, Robert	Caymanas	-											
	TOTAL	2,583	932	538	3,452	839	540	3,449	846	542	3,712	823	538

RECAPITULATION:

—	Miles travelled in the Month of May.	Number of Estates visited in May.	Number of Estates in the preceding Column on which there were no Complaints.
The Post to 7th May -	3,583	932	538
Ditto - 14th — -	3,452	839	540
Ditto - 21st — -	3,449	846	542
Ditto - 28th — -	3,712	823	538
TOTAL - - -	14,196	3,440	2,158

BARBADOES.

— No. 48. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 1 June 1833.

No. 48.

I AM happy to report the Islands of the Windward Government continue tranquil.

I returned from visiting Grenada and St. Vincent late yesterday evening, and the packet sails early to-morrow.

Some restlessness lately discovered itself at St. Vincent, but was promptly yet temperately met by Captain Tyler, the Lieutenant-governor ; and though I have no immediate uneasiness about that Island, you will find by another Report (of this date, "St. Vincent"), I deemed it prudent to adopt precautionary military arrangements.

— No. 49. —

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 13 July 1833.

No. 49.

THE opportunity of a private ship to-morrow enables me to acknowledge the honour of your Circular Letter of the 13th ultimo, enclosing the Resolutions of The House of Commons on the Negroes' Freedom Bill.

I received it yesterday, and showed it to several Members of Council, to whom, as well as the House of Assembly, it will be formally communicated immediately.

Previous to this, both branches had met to remonstrate against your first proposition, a loan of 15 millions.

The compensation of 20 millions will, I hope and think, give a great deal more satisfaction ; my only fear is the first ebullition of joy destroying regularity and industry, and a general rush to the capital, Bridge Town.

There being no police, I have made a military disposition for the public tranquillity, by which the town will be completely commanded by regulars.

I am going round the Island immediately, to review the militia and to see the slaves at the principal estates, that I may personally explain to them the blessing that is coming to them, and caution them against abusing it ; and I trust you will give me full credit for the zeal and energy with which I will labour to give effect to this benevolent and noble cause.

BARBADOES.

No. 50.

— No. 50. —

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 29 July 1833.

KNOWING the anxiety prevailing at home as to the state of the West Indies generally, I lose no opportunity of reporting to you that of the Windward Government; and I am happy to say, we are perfectly quiet.

My last Despatches from you merely informed me that the heads of your Bill had passed the Lords.

The proprietors, by seeing compensation substituted for loan, have become more calm and reasonable, and I anticipate the greatest benefit from their preparing the slaves for the great expected change.

A committee of the House of Assembly and Legislative Council will meet on the 30th instant, to consider of the most desirable laws to be prepared or amended for the new state of things, arising from the liberating Act.

By my last Despatches from Sir Evan M'Gregor, an unruly spirit seems to exist at St. Christopher's. I am by no means satisfied that it has emanated from any disappointment about the slaves' expected liberty.

— No. 51. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

No. 51.

(Q. 30 July 1833.)

Sir, Government House, Barbadoes, 1 August 1833.

REFERRING to my General Despatch of the 29th ult., I have now the honour to transmit a copy of a communication from the House of Assembly, containing their Resolutions upon the proposed measure for the Abolition of Slavery, agreed to on the 30th ult.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 51.

Enclosure in No. 51.

THE House of Assembly has the honour to inform his Excellency the Governor, that his message of the 15th inst., with Mr. Secretary Stanley's Circular Despatch, and the Resolutions agreed to by the House of Commons for the abolition of colonial slavery, were, at the meeting of the House this day, taken into consideration, when certain Resolutions were unanimously entered into by the House, expressive of its readiness to co-operate in the proposed plan for the extinction of negro slavery; a copy of which Resolutions the House of Assembly respectfully take leave to enclose for the information of his Excellency.

30 July 1833.

RESOLUTIONS for the ABOLITION of SLAVERY, unanimously agreed to by the House of Assembly, 30 July 1833.

Resolved, 1st. That this House is ready and willing to co-operate in the Resolutions adopted by the House of Commons and House of Lords, for the extinction of negro slavery, provided justice be done to the proprietors of slaves in this Island, in the distribution of the 20,000,000 *l.* voted by Parliament.

Resolved, 2d. That this House is of opinion that the proposed distribution of the 20,000,000 *l.* on a ratio compounded of the amount of exports and number of slaves, will be unjust in principle, and ruinous to the proprietors of slaves in this Island.

Resolved, 3d. That this House, being convinced that the net profit of agricultural slave labour in Barbadoes, is inferior to none in any part of the West Indies, are of opinion that no distribution short of a *per capita* ratio, will meet the justice of their claims.

Resolved, 4th.

Resolved, 4th. That the joint committee of the Council and Assembly be authorized to prepare a memorial, founded upon the foregoing Resolutions, and to transmit the same to the agent of the Island, to be laid before His Majesty's Government: That the agent be instructed to retain counsel to appear in behalf of the inhabitants of this Colony, before any tribunal which may be appointed for adjusting the claims of the different Colonies to a participation in the Parliamentary Grant.

— No. 52. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

No. 52.

Sir, Government House, Barbadoes, 30 August 1833.

I HAVE great pleasure in reporting the general tranquillity of the Windward Islands.

A few copies of your proposed Abolition Bill have been received by the principal proprietors, but neither the Assembly nor Legislative Council have as yet taken it into consideration.

I have reason to think its general provisions are acceptable, but there will be perhaps some expression of disappointment at the rate of compensation, the average value of slaves by public sale, for the 10 years preceding 1832, having been low, owing to a vast population of slaves in this Island, and their export having been long since prohibited; but the principle which, on this great change, gives proprietors the actual slave value, as if slavery continued untouched, is undeniably just, though to one Island it may prove unfortunate.

My last advices from the Governor of the Leeward Islands were dated the 16th inst.

— No. 53. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 28 Sept. 1833.

I AM happy to report the continuance of tranquillity in the government of the Windward Islands.

I have laid before His Majesty's Council of this Island the copy of the Slavery Abolition Bill, as amended in the Lords. The Legislature will now, I conclude, work upon the necessary modifications of the law.

No. 53.

Both the Council and Assembly meet on the 1st proximo, when I shall be able to judge better of their feelings and intentions.

There is evidently a disappointment in the operation of the principle of compensation; they can never, I fear, be reconciled to a scheme of distribution which will award them something under 20 *l.* per head, while the new Colony of Demerara is said to share upwards of 50 *l.* per head.

It unfortunately also happens, that the Legislature of this Island always gives a tone and feeling to her small neighbours, where however the distributiou will not be so unfavourable, as they have never had any excess of slave labour.

It is said that a violent and very leading member of the House intends to propose that they should comply with the law only so far as may be necessary to secure the compensation money, and then that the proprietors should emancipate their slaves themselves, so as to avoid any further responsibility towards them.

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— No. 54. —

No. 54. COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 11 October 1833.

I BEG to acknowledge the receipt of your letter of the 5th ult., enclosing His Majesty's Proclamation announcing the period and fact of the abolition of slavery.

As I have only the opportunity of a chance private ship, I am only enabled to report, that I have laid these documents before the Council ; and that they will be sent down to the House of Assembly, at their next meeting on the 15th inst., by special message, the result of which I hope to communicate by the first packet.

I have, &c.

(signed) *Lionel Smith.*

— No. 55. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 29 Oct. 1833.

No. 55. REFERRING to my last Despatches, I have now the honour to enclose copy of my Message, conveying to His Majesty's Council and the House of Assembly of this Island, the Act of Parliament for the abolition of slavery, together with the replies of those bodies.

It may be inferred from the answer of the Council, that the Legislature will not enter into any modification of the present slave laws until they are provided with copies of the Orders in Council, which it is proposed to issue for the guidance of the Crown Colonies.

—No. 56.—

EXTRACTS of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *E. G. Stanley*, dated Government House, Barbadoes, 25 Nov. 1833.

No. 56. I DO myself the honour to acknowledge the receipt of your Letter of the 19th ultimo, enclosing a paper containing a plan of laws and regulations on which the proposed Order in Council will be formed, for carrying into effect the Abolition Act, and by which it is desirable the representative Legislatures should be guided.

I beg to acquaint you, that I lost no time in making the necessary communication of these documents to His Majesty's Council and to the House of General Assembly here, and in transmitting them for the same purpose to the Lieutenant-governors of the other Islands.

A committee of both branches of the Legislature here had been some time since appointed to take into consideration the Abolition Act, but they suspended proceedings until they received the Orders in Council. They will now meet on the 27th instant, and I hope will commence in good earnest modifying existing laws, and adopting others necessary to meet the great change which the Abolition Act must produce, in a few months more, on the largest portion of our population.

A full consideration of the proposed plan of management for the apprentices, particularly in the powers of the penal enactments, has given me great confidence in their practical adoption.

— No. 57. —

No. 57.

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 21 November 1833.

REFERRING to my confidential letter dated the 30th October last, I expressed a wish, in the 7th paragraph, to be early furnished with authority from His Majesty for the appointment of special magistrates.

My construction under this Act was, that I could locally create any additional number of magistrates I found necessary, only that they could not be paid from home.

The Attorney-general here has corrected my construction, and leads me to believe, that the special magistrates may be generally commissioned, but that the general magistrates cannot be specially commissioned to have any duties between masters and slaves.

The law of course admits of no discretion, or I could have found humane and experienced gentlemen to have entered upon these duties with great benefit to the public.

I have, &c.
(signed) *Lionel Smith.*

— No. 58. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing Street, 17 December 1833.

No. 58.

AS I find that some doubts have arisen whether it is the intention of His Majesty's Government that any gentlemen belonging to or being proprietors in the Colonies should be appointed as special magistrates under the 14th clause of the Slavery Abolition Act, I think it right to inform you, that although the stipends granted by Parliament to a limited number of these magistrates, were provided with a view of enabling His Majesty to send from this country individuals properly qualified for those offices, wholly unconnected with the Colonies, and who should devote themselves entirely to the discharge of their magisterial functions; yet it was not the intention of Parliament, or of His Majesty's Government, to confine the special commissions to persons thus selected. You will therefore be at liberty, as soon as the Legislature of Barbadoes shall have enacted the necessary laws relating to the proposed system of apprenticeship, to nominate as special magistrates for the Island of Barbadoes, without stipends, such and so many gentlemen belonging to, or proprietors in the Island, as you may think necessary or advisable, for the effective performance of the duties imposed on the special magistracy by the Slavery Abolition Act.

I am, &c.
(signed) *E. G. Stanley.*

— No. 59. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 13 January 1834.

No. 59.

IN your Despatch of the 21st of November last, you inform me that you are led to believe that, under the Act for the Abolition of Slavery, although special magistrates may be generally commissioned, general magistrates cannot be specially commissioned.

Although I conceive it to be most probable that my Despatch of the 17th ult. will

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ult. will have removed from your mind all doubts upon this subject, yet to prevent the possibility of any misunderstanding, I take this opportunity of acquainting you, that you are at liberty to address a special commission to any magistrate, acting under a general commission, who may be willing to undertake the duties of a special magistrate, and whose services in that capacity you may consider as likely to be useful.

I have, &c.
(signed) *E. G. Stanley.*

—No. 60.—

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*, dated Government House, Barbadoes, 8 January 1834.

No. 60.

A PORTION of the negroes may be disappointed and discontented, but on the large estates and under humane masters they appear cheerful, contented and industrious; and I have no apprehension whatever of any combinations or violence.

I purpose preparing for circulation a little abstract of what the Act will do for them to improve their condition, and of the obligations it imposes on them as apprentices, towards their masters. But we have no posts or means of dispatching letters to the estates; and nothing can ever be read to the slaves but what their masters approve of.

The holidays have passed off without commotion, and the whole Island is perfectly tranquil.

—No. 61.—

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Government House, Barbadoes,
No. 61. Sir, 22 January 1834.

REFERRING to my despatch of the 8th instant, I have the honour to transmit copy of a Proclamation which I have this day issued, with the consent of Council, explaining to the slaves the benefits they will receive, and the obligations imposed upon them, by the Slavery Abolition Act.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 61.

Enclosure in No. 61.

Barbadoes, ss. A PROCLAMATION,

By His Excellency Major-general Sir *Lionel Smith*, K.C.B., Governor and Commander-in-Chief of this Island, Chancellor, Ordinary and Vice-Admiral of the same.

WHEREAS I have reason to believe that a considerable portion of the slave population of this Island have not been made fully acquainted with, or do not rightly understand, either the benefits which they will receive from the Abolition Act, or the obligations which they will owe to their masters when they become apprentices in August next; I have thought fit to address the following information to the slaves, with the view of removing present misapprehension or future disappointment.

On the 1st of August next you become free from absolute slavery, and at the same time you become apprentices, under regular laws, to your present owners. Any offences you may then commit against your masters will be punished by magistrates sent from England for the purpose of administering the law between you and them.

All slaves who have been regularly engaged in cultivation, or in the manufacture of sugar, including all tradesmen, remain apprentices to their masters for six years from the 1st August next, ending in 1840; and all domestic slaves remain apprentices for four years from the 1st August next, ending in 1838.

The

The reason why labourers and tradesmen have a longer period of apprenticeship than domestic servants is, that the former class are not required by law to work more than 45 hours in the week; by which you gain extra time equal to one day in every week, except on emergencies, such as tending cattle and the preservation of your masters' properties.

The domestic class is not to enjoy this exemption from labour, and therefore their apprenticeship is shorter than that of labourers.

If you at any time absent yourselves from your work, or neglect it, you will have to make good the time lost, or neglect so occasioned, to your master.

After the 1st August next no female apprentice can be punished by the whip or cat, or be imprisoned by their employer's authority; but they will be liable to imprisonment or hard labour by the magistrates.

All slave children under six years of age on the 1st August next, or who may be born after that day, become free.

The law requires you to support your children so made free; for if you neglect to do so, they will have to go through a servitude to their mothers' owners until they attain 21 years of age.

By the Act of Parliament it will be rendered more easy for you to purchase your discharge from apprenticeship, than it was your freedom when slaves.

You cannot fail now to understand the advantages secured to you by the King and Parliament; but you must be orderly and industrious, and do your duty honestly and faithfully to your present owners.

The law is strong, and the law will punish you if you do not work.

In England, idle people and those who will not work, are taken up as vagabonds and vagrants; and the same laws will be in force here.

England is to pay twenty millions of pounds sterling for your gradual freedom. You can only deserve or understand this blessing by a course of good conduct, by obeying the laws, and being dutiful to all those entitled to your services, and to whom you will have to look for the rewards of your labour when you become perfectly free.

Given under my hand and seal at arms, at the Government House, this 22d day of January 1834, and in the fourth year of His Majesty's reign. God save the King.

By His Excellency's command. (signed) *William Husbands*,
Secretary.

— No. 62. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 2 April 1834. No. 62.

I HAVE to acknowledge the receipt of your Despatch dated the 22d January, enclosing copy of a proclamation which you issued to the slaves in Barbadoes, explanatory of the Act for the Abolition of Slavery; and I have to convey to you my approval of the proclamation.

I have, &c.
(signed) *E. G. Stanley*.

— No. 63. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 7 April 1834. No. 63.

I HAVE at length the honour to transmit you a transcript of the Barbadoes Abolition Bill, which, as it has a suspending clause, I have assented to, after every endeavour on my part to induce the Legislature to pass a better Bill. Act printed in Appendix (B.) No. 8.

I could not easily express my extreme disappointment that the Legislature would not imitate the safe example of Jamaica, whose Bill they saw recognized in His Majesty's gracious Speech; and of two other Islands of this Government, that have closely followed it; and I express this regret not in anger, but in sorrow, as regards the interests of the great body of proprietors, and the poor slaves, among whom I apprehend the most serious consequences, if the retention of arbitrary power should defeat their just hopes of amelioration, or

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disappoint the promises held out to them by the British Act and several proclamations arising from that instrument.

Acknowledging myself warmly interested in the cause of this much-injured people, it is very probable I may have expected too much for them; I therefore respectfully beg leave to point your attention to my message and detailed remarks in objection, after I had been allowed a private perusal of the Bill; and you will, I hope, be satisfied with the temperate and conciliatory tone adopted by both parties.

In a final meeting of the Assembly, they struck out the power claimed by the Council, of flogging apprenticed children of both sexes, by employers, up to 12 years of age, seeing it would be fatal to the Bill; and the Council ultimately yielded to its erasure. This brought the transaction to a close.

I have, &c.
(signed) *Lionel Smith.*

Enclosure 1, in No. 63.

MESSAGE from the GOVERNOR.

Government House, 26 March 1834.

Enclosure 1, in No. 63.

I HAVE availed myself of the opportunity I have had of privately perusing the proposed Bill for the Abolition of Slavery, to make some remarks upon the various clauses it contains; and as I propose forwarding them to the Secretary of State, with the Bill, if it remains in its present state, I have deemed it an act of justice to the Colonial Legislature to communicate the remarks to them, in the sincere and anxious hope, that having a present opportunity of amending many of the provisions of the Bill, the Legislature will avail themselves of it, and thus remove the difficulties which may otherwise impede the allowance of the Bill.

I need scarcely add, that in framing these remarks, I have made no attempt to point out mere clerical errors, or to assume the office of a critic. My sole object in addressing them to the Legislature, is to act in the spirit of my instructions from His Majesty, and to offer to them every assistance in my power, towards carrying into effect the intentions of the British Parliament; and I trust I may be allowed to take credit for the spirit of frankness and candour with which I make my present communication.

I have the honour, therefore, to hand you the remarks referred to, and to add, that although I cannot approve of the proposed Bill in its present form, I shall nevertheless deem it my duty, as there is a suspending clause in the Bill, to give my formal assent to it, in order that no delay may be interposed to its transmission to His Majesty's Government.

(signed) *Lionel Smith.*

Enclosure 2, in No. 63.

The GOVERNOR'S REMARKS on the Barbadoes Abolition Act.

Enclosure 2, in No. 63.

Sect. 3. REPUGNANT to the British Act, inasmuch as slaves who have been in England are declared free from the passing of that Act, and the proposed Act only makes them free from the passing thereof. Thus all releases effected by virtue of the British law are nullified by the local law.

Sect. 4. This clause contains an addition to the British Act, "or otherwise engaged in labour or occupations not continuous," the application or purpose of which is not clearly defined. The latter part of this clause is repugnant to the British Act, in not giving, in point of time, the same retrospective effect, to determine the occupations of classes; and further objectionable, in leaving the power of change of classes entirely in the hands of employers, without the concurrence of the special magistrates.

Sect. 5. Has the same objection as the latter part of the 4th.

Sect. 6. Objectionable; as the registrar is made the only person to fix the apprentice classes when disputed, and no appeal is left to the slave, if dissatisfied with that officer's decision; a defect which requires remedy, by allowing an appeal to be made by an apprenticed labourer to the special magistrate, to show, if he be able, that the decision of the registrar is wrong, and the rules for regulating the proceedings on such appeals either left to be settled by the Governor in Council, or to be established by this Act.

Sect. 10. The amount of the fee to be paid may operate to prevent an apprenticed labourer obtaining a certificate, as it will be a tax of 1*s.* 6*d.* upon a single name.

Sect. 12. The words "or any injury" may be made to embrace many and various acts of slight aggression; and when the comprehensive sense of the word "injury" is considered, the Legislature may be inclined to revise this clause. Moreover, it is repugnant to the 4th sect. of the British Act, and is nullified by the concluding part of the 16th sect. of that Act.

Sect. 13. The latter part of the clause which applies to children under 12 years of age,

is inconsistent with sect. 5 of the British Act, which requires some uniform regulation for the period of labour, except in the cases mentioned in sect. 21.

Sect. 14. The words "any prædial apprenticed labourer who may be employed in the protection of any crops," appear to be too comprehensive, and render it necessary, if retained, that provision should be made for subjecting the contract to the approval of the special justice, in the first instance, instead of being referred to him only on disagreement; otherwise this clause will not correspond with sect. 21 of the British Act.

Sect. 15. The special magistrate should be a party to judge of the emergency and settle the terms of remuneration.

Sect. 21. A right to appeal to the King in Council should be preserved in this clause, and the Legislature will perceive that some alteration is necessary to secure the applicant a ready and cheap mode of procedure; otherwise the application may subject the party to very heavy expense, and in some cases the whole sum may be absorbed in law expenses.

Sect. 24. The words "provided the child be under the age of 12 years" confuse the meaning of the clause, and are not to be found in sect. 9 of the British Act, which it otherwise follows. The regulation also of particular labour in this clause is contrary to clause 9 of the British Act, and ought only to be enforced with the privity or sanction of the special magistrate.

Sect. 27. In the latter part, a question arises who is to maintain apprentices under confinement in places used as public prisons, as the prison or place of confinement mentioned in the subsequent clause 114 may be restricted to places answering that description on estates, and used as domestic prisons only.

Sect. 32. The allowances proposed to be substituted in lieu of fish and clothing should be fixed with the knowledge and consent of the special magistrate.

Sect. 34. In consequence of this clause, apprentices belonging to small proprietors in any number from one to 39, and who are generally the worst treated, have no provision whatever in case of sickness, though the British Act, sect. 11, requires all employers to furnish medicines and medical attendance as heretofore. This clause is therefore repugnant to the British Act.

Sect. 36. The provision of this clause is so liable to be eluded, that I earnestly recommend its reconsideration, and the insertion of the word "nightly" after "shall," in the third line of the clause, and the words "for each and every omission" after the word "penalty," in lieu of the words "in default thereof." And this clause is also repugnant to the 11th sect. of the British Act.

Sect. 42. It will be physically impossible for the special magistrate to attend every estate, as thus required. Delinquents should be sent to his office, as in the Order of Council, p. 4, art. 2 and 3; and as each estate may have one or more constables upon it, the proprietors may readily have the delinquents corrected. The proposed law in its present shape unavoidably retards justice to others, in the case of there being several complaints on the same day from different parts of the district.

Sect. 55. This provision may be an improvement on the present practice of courts of justice; but as it is new, and applies to cases of complaints between employers and apprenticed labourers, and places the latter in a worse position when seeking justice than free people similarly circumstanced are in, the Legislature will perceive that some alteration is necessary.

Sect. 56. An apprenticed labourer should be at liberty to save herself or himself from corporal punishment, by being allowed to pay the fine, as prescribed for free persons disobeying summonses.

Sect. 57. Such alterations should, I think, be subjected to His Majesty's approval, in the spirit of art. 26, p. 7, Order of Council.

Sect. 58. The penalties imposed by this clause appear to be repugnant to the British Act, in reserving the power of punishment to employers without the privity of the special magistrate; and the apprenticed labourer should have the opportunity of showing that his cause of absence might have been unavoidable and reasonable.

Sect. 59. It may be presumed that the use of the words "wounded or injured in committing or attempting to commit any assault, robbery or burglary, or any other injury," has reference to the powers heretofore exercised by watchmen under clause 41 of the Consolidated Slave Act, and may be construed to imply an authority to them to retain the same power: it may, therefore, be deemed necessary to revise this clause, and for the Legislature to declare that it has no such implied meaning, as the clauses 111 and 112 render such powers now unnecessary. Further, the penalties imposed by this clause are severe, when the comprehensive sense of the other words, "other unlawful acts," is considered.

Sect. 65. The proviso to this clause does not follow the 20th clause of the British Act, which extends the period of the apprenticeship only in certain cases, and in a modified manner.

Sect. 66. The offences here enumerated should be inquired into before a special magistrate, and a discretionary power given to him for mitigating the punishments.

Sect. 67. The word "wilfully" seems to be accidentally omitted in the first part, after the word "shall." See also observation to clause 66, which applies here with equal force. The conviction of the offences mentioned in the latter part of this clause ought to be before a special justice of the peace, and a discretion given him of mitigating the punishment.

Sect. 70. After the words "nor to authorize any justice of the peace," in the middle of the sentence, the words "nor any other person or persons" appear to be accidentally omitted, and the concluding proviso in this clause is opposed to the 17th clause of the British Act. It appears to be the intention of the Legislature, by this clause, to do away with the stocks,

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or the use of irons as instruments of punishment. But I venture to suggest the expediency of prohibiting the use of either, on any pretence whatever, on estates, in order to avoid all possible misconstruction of legislative intention.

Sect. 86. It has been found, in executing the present law, that where a fine has been carried as high as 100 *l.* currency, it is insufficient to control violent persons against extreme punishment of negroes. A discretion should, therefore, be left with the special magistrate to increase the fine.

Sect. 89. The proviso in this clause will have a direct tendency to prevent the apprenticed labourer seeking justice; and his liberty to do so ought not to be checked, by obliging him in the first instance to apply for a pass from his master; and the 52d clause makes ample provision for punishing frivolous complaints.

Sect. 90. Power should be given to the special justice to entertain the complaint beyond this period, if satisfactory reason can be shown for the delay.

Sect. 93. The law is intended to operate exclusively upon apprenticed labourers, and is so headed and denominated. The insertion of the words "and other persons" may lead to considerable difficulties, and include all denominations of persons.

Sect. 95. The Order in Council, p. 16, art. 4, allows the apprenticed labourer the privilege of resorting to some place of public worship, having with him a written pass for that purpose, from his employer or the special justice of the district; and a similar provision is wanting here.

Sect. 98. A complaint to any justice of the peace is contrary to the British Act, which provides that no other than special magistrates shall have jurisdiction between apprentices and employers.

Sect. 100. The same objection as in the 98th clause.

Sect. 101. This provision has been found so oppressive in many instances under the Consolidated Slave Act, that it seems absolutely necessary that a discretion should be given to the special justice to mitigate the penalty, where such concealment or employment of apprentices shall appear to the justice not to have been wilful.

Sect. 108. By the 18th section of the British Act exclusive jurisdiction is given to special magistrates in cases of breach of obligations between master and apprentice, or apprentice and master; and the appeal given to the Governor in Council subjects the special justices to a control not contemplated by the British Act. And further, this clause requires revision, to authorize the Governor to include justices holding special commissions of the peace.

Government House, 26 March 1834.

Enclosure 3, in No. 63.

Enclosure 3, in No. 63.

THE members of the Legislative Council beg leave respectfully to acknowledge his Excellency's obliging statement of the objections he entertains to several of the clauses and provisions of the Slavery Abolition Bill, now in committee at their board.

The Council feel extremely anxious to render this Bill in every respect acceptable to his Excellency and the British Government; and they have cheerfully adopted several important alterations suggested by his Excellency. They have, at the same time, taken the liberty of explaining that some of the objections made by his Excellency to particular clauses, are effectually obviated by special enactments already contained in the Bill.

It is a matter of unfeigned regret that any point, not perfectly according with his Excellency's views, should still remain. His Excellency cannot fail, however, to bear in mind the purport of certain Despatches received from the Secretary of State for the Colonies, exonerating the Legislature from a servile imitation of the Orders in Council framed for the regulation of the Crown Colonies; and thereby casting on the Colonial Authorities the heavy responsibility of framing Acts for the Abolition of Slavery, and for providing against the emergencies of the new state of society therefrom resulting, which Acts are required to be applicable to the peculiar circumstances of each Colony, and qualified to ward off the disorder and confusion to be dreaded from a change so sudden and extensive in the condition of the great mass of the population.

The Council beg to assure his Excellency, that in this labour they have cautiously abstained from any violation of the Act 3 & 4 Will. IV. c. 73; and that when they have not been able to employ the words of that Act, they have invariably endeavoured to preserve inviolate the principles developed therein, in the several communications on the subject from His Majesty's Government. They beg to add, that in a conference which has taken place between the deliberative branches of the Legislature, his Excellency's observations have been made known to the honourable House of Assembly; and the Council feel confident that the alterations they have made in the Bill, will be acceded to.

The Council cannot conclude without respectfully tendering to his Excellency their thanks for the explanation he has made in this stage of their proceedings, which has been greatly beneficial to the interests of the country, in so far as it has opened a favourable opportunity for several material alterations in the Bill; and they trust that in the form in which it will now be laid before his Excellency, it will be such as to merit his favourable consideration, should it fail to secure his unqualified approbation. The Council feel confident that his Excellency's candour will secure to them the transmission of their reply, together with the objections which his Excellency has signified his intention of sending forward

ward with the Bill, by which it may appear to His Majesty's Government, as they trust it does to his Excellency the Governor, that they have been actuated by an ardent and sincere desire of accomplishing the important measure of emancipation in a safe and effectual manner; and that in those points where they have not acceded to his Excellency's recommendation, they have not been influenced by partial considerations, but that they have endeavoured equally to promote the good and to protect the interests of all classes of the community.

Council Chamber, Barbadoes, 1 April 1834.

Enclosure 4, in No. 63.

The REPLY of the Council to the Governor's Remarks upon the Abolition Act.

Enclosure 4, in No. 63.

Sect. 3. This clause has been misunderstood. It does not limit the benefit thereby conferred to the period of the passing of the Act, but enacts "That all slaves who may at any time previous to the passing of the Act have been carried from this Island with the consent of their possessors, into any part of the United Kingdom of Great Britain and Ireland; and all slaves and apprenticed labourers who may hereafter, with the like consent, be carried from this Island into any part of the United Kingdom of Great Britain and Ireland, are hereby declared to be absolutely and entirely free and discharged from all slavery or apprenticeship;" thereby extending the boon to some individuals whose case was not embraced by the Act of Parliament, without any limitation as to the time at which they become free.

Sect. 4. The words "or otherwise engaged in occupations not continuous" were introduced in this clause, for the purpose of defining more clearly the principle upon which the distinction of classes appears to have been founded, namely, that those persons who from the nature of their occupations would be required to render continuous services to their employers, being thereby precluded from the enjoyment of one fourth of their time for their own benefit during their apprenticeship, should be indemnified for this privation by having the term of their servitude abridged. The retrospective operation of the Act of Parliament, in determining the occupation of classes, was no doubt intended to defeat collusion. Twelve months before the passing of the Barbadoes Act fulfils this purpose; inasmuch as it reaches to a period when the proposed arrangement was not known in this country, and could not therefore be collusively evaded. The Jamaica Act, which has been approved of by the Government, has a clause of the same tenor.

The latter part of the clause has been so amended as to obviate his Excellency's objection.

Sect. 5. Answered above.

Sect. 6. A proviso has been added to the 10th section, giving an appeal from the decision of the registrar, if the apprentice be dissatisfied with his award.

Sect. 10. It appears to the Council that it would be unreasonable to require a public officer who pays his clerks and buys his stationery out of his own pocket, to do the business of private individuals without remuneration. The very trifling fee of one quarter dollar, could never, in point of fact, be an obstacle to the poorest apprentice obtaining a certificate.

Sect. 12. The Council have inserted the word "serious" before the word "injury," to guard against the abuse alluded to by the Governor, although the words "or other gross misdemeanor," which immediately follow, seem to mark sufficiently the character of the offences to which the clause relates. The Council regret extremely that the Governor should consider the power given by this clause to remove non-prædials into the class of prædials, upon conviction for certain crimes, repugnant to the Act of Parliament, since it appears to the Council that such a provision is indispensable to the peace and comfort, and even to the safety, of every family in the Island. Could it be the intention of the British Parliament, that an employer should be compelled to retain a butler who had been convicted of theft; a coachman who, having become an habitual drunkard, endangers his master's family; or even a cook who may have attempted to infuse poison into his food? If it be said that the Act of Parliament does not prohibit his employer from dismissing his domestics, let it be considered that the discharge of a domestic, without the power of employing him in prædial labour, would be in effect to reward his crimes by abrogating his servitude. This power is very strictly guarded; it is only upon conviction for crime that it can be exercised.

Sect. 13. The daily labour of apprentices under 12 years of age is limited to 7 ½ hours, in order to allow sufficient time in each day for their instruction. The weekly holiday which is secured to the older slaves, would be of very questionable advantage to children under 12.

Sect. 14. The power of referring the question of remuneration to the special justice, where the terms are not approved of by the apprentice, seems quite sufficient to protect him against any injustice or oppression. When there is no disagreement, and both parties are satisfied, why give this unnecessary trouble?

This clause is not repugnant to the 21st section of the Act of Parliament, which sanctions the continuous employment of persons engaged in the protection of property, even on Sunday, and makes no allusion to the interposition of the special justice.

Sect. 15. To render the sanction of the special justice necessary in this case would, in many

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many instances which admit of no delay, defeat the benefit of the provision. This clause differs from the 60th section of the Jamaica Act in nothing, except that the Barbadoes Act secures to the apprentice compensation for the extra hours he is compelled to labour, which the Jamaica Act does not.

Sect. 21. The Council have cancelled that part of this clause which makes the decision of the Governor and Council final; thereby leaving the right of appeal open: and the clause has been altered accordingly. Although in such cases as those alluded to by the Governor there could be no appeal; the sum in dispute would not reach the amount limited by the Royal instructions.

The Council can devise no form of procedure less expensive than the one here prescribed. They would cheerfully have availed themselves of any suggestion of his Excellency for the better accomplishment of this object. This, however, is a point in which the apprenticed labourer has no interest.

Sect. 24. The words "provided the child be under the age of 12 years" were meant to limit the restriction to that period of life when the care and protection of the parent were necessary to the child. It has been extended to 18.

To prohibit the hiring out of surplus labour would be a decree of ruin to many small proprietors, who do not possess as much land as would raise food sufficient for the maintenance of their people. Such proprietors can only be reimbursed for the expense of maintaining their slaves or apprentices, by hiring them out to cultivate neighbouring lands, in which labour they enjoy the same privileges and protection as if they were employed in cultivating their master's property. The Act of Parliament, by creating a class of unattached prædials, virtually sanctions this regulation.

Sect. 27. The Council have inserted a provision, in order to express more clearly what was the intention of the Legislature. This has been provided for in the Police Bill which is before the Legislature. The 114th section obliges the employer to provide food for any apprentice confined in a domestic prison.

Sect. 32. The Governor's recommendation is adopted.

Sect. 34. The objection to this clause unfounded, and could only have arisen from inadvertency in perusing the clause. After directing that all persons who have 40 apprenticed labourers and upwards shall employ a medical practitioner to attend not less than once in each week, it goes on to enact "that every other person entitled to the services of any apprenticed labourer, shall be and he is hereby required to provide medical assistance for every such apprenticed labourer, when necessary."

Sect. 36. The words recommended by the Governor have been adopted. The Council is at a loss to conceive in what respect this clause is repugnant to section 11 of the Act of Parliament.

Sect. 42. It is only when insubordination of a "serious nature" occurs, which must be sworn to, that the special magistrate is required to attend: and although this duty may appear arduous, it is a great mitigation of the duty imposed on those officers by the 3d section, cap. 2, of the Order in Council, which enjoins "that every magistrate shall once in each fortnight, or oftener if need be, repair to such plantation within his district, upon which ten or more apprenticed labourers shall be employed."

Sect. 55. This objection is unfounded, and must also be attributed to inadvertency. Far from "placing the apprenticed labourer in a worse position, when seeking justice, than free people similarly circumstanced," this clause makes a special exception in favour of this class, exempting them from the payment of the fee.

Sect. 56. This clause is so amended as to render the apprenticed labourer liable to corporal punishment, only in case he shall fail to pay the fine.

Sect. 57. This recommendation has been adopted.

Sect. 58. Sect. 70 and 86 repel this construction. The former limits the jurisdiction, in all matters between employers and apprentices, to the special justice exclusively; the latter prohibits the employer absolutely from inflicting any description of punishment, by whipping, imprisonment or otherwise, upon an apprenticed labourer, except in the case of infants under 12 years of age.

Sect. 59. This clause has been struck out.

Sect. 65. There was no intention to deviate from the Act of Parliament in this clause: accordingly the 20th section of the British Act has been literally copied.

Sect. 66. This objection arises from a misconception of the Barbadoes Act, as has been already explained by reference to clauses 70 and 86.

Sect. 67. Such a phrase as a "wilful act of carelessness" appears to the Council a palpable solecism in language. Carelessness in an act surely implies the absence of intention. The wilful injury of property by the use of fire is a felony, and not the offence contemplated by this clause. This clause does require that the apprentice "shall be adjudged in the discretion of the special justice" before whom he or she be convicted, &c.

Sect. 70. The first part of this clause prohibits generally all other persons, except special justices, from inflicting punishment by whipping, imprisonment, &c. upon apprentices. The very limited power of punishing children which is sanctioned by this clause, being no more than is necessary for their own good, as all experience proves from the days of Solomon to the present time, cannot be considered contrary to the spirit and design of the Act of Parliament. The Council feeling satisfied that the primary object of the British Government, in reference to the emancipation, has been to render that measure safe and beneficial to all parties, can entertain no doubt that they will sanction the exercise of an authority so indispensable to moral discipline, and which in this case can hardly ever be employed for any other purpose.

Sect. 86. The argument of this objection would go to show the inefficacy of all human punishment for the prevention of crime, since the infliction of death has not proved sufficient to abolish murder and other capital crimes. The Council are not disposed to trust much discretionary power to the summary decisions of a single magistrate, especially as the law having rendered the striking of an apprentice by his employer illegal, the party may have his remedy at common law for an assault. The Order in Council, p. 13, s. 13, limits the penalty in this case to 5 *l.*, leaving to the special justice no such discretionary power as here recommended.

Sect. 89. The proviso in this clause cannot have the tendency attributed to it; because an apprentice having applied for a pass, is at liberty to go without it if it be refused. The object of requiring him to make this application in the first instance, is simply that the employer may have notice of the complaint; while, at the same time, he has no power to prevent it.

Sect. 90. The period has been extended, in compliance with the Governor's suggestion.

Sect. 93. Amended, in compliance with the Governor's suggestion.

Sect. 95. Objection unfounded. This clause makes an express exception in favour of an apprentice going to and from a place of public worship, even without a pass.

Sect. 98. Objection unfounded. The complaint which is here directed to be heard by any justice of the peace, does not relate to a case between employer and apprentice, but between the employer and the Secretary of the Island. The offence of the apprentice referred to in the latter part of this clause, is made cognizable by a special justice only.

Sect. 100. Here again the offence referred to, is by any person not being an apprenticed labourer, and is of course within the jurisdiction of any justice of the peace for the body of the Island; and like the preceding, one in which the special justice has no jurisdiction.

Sect. 101. The word "clandestinely" was introduced into the clause to prevent the oppressive construction which the Council are aware has too often been put upon the Act for which this clause is substituted. The Council have added the words "or fraudulently" after the word "clandestinely," which they conceive will remove the evil pointed out by his Excellency.

Sect. 108. The constitutional privilege of appeal not being abrogated by any part of the Act of Parliament, it is to be presumed does, in fact, remain; and therefore the Barbadoes Act, although more explicit upon this point than the British Act, may be considered in strict accordance with it. There is nothing in this clause to prevent the Governor from including justices holding special commission, in the general commission.

Council Chamber, Barbadoes, 1 April 1834.

— No. 64. —

COPY of a DESPATCH from Mr. *Lefevre* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 7 June 1834.

No. 64.

IN the unavoidable absence of Mr. Secretary Spring Rice, I have received his directions to acknowledge the receipt of your Despatch of the 7th of April, enclosing an Act passed by the Legislature of Barbadoes, intituled "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers."

Although it appears to His Majesty's Government that there are several points in that Act which require modification and amendment, in order to carry into full effect the intentions of the Imperial Parliament; yet as the Act contains a suspending clause, and cannot therefore have the force of law until His Majesty's decision shall have been pronounced upon it, and as much inconvenience might accrue to the Colony of Barbadoes, in case there should be no law in operation for the government of apprenticed labourers in that colony on the 1st August next, His Majesty has been advised to confirm the Act, and I am accordingly directed to transmit to you an Order in Council to that effect.

I am further to acquaint you, that Mr. Spring Rice will take the earliest opportunity of communicating with you in detail respecting the modifications and amendments to which I adverted.

I have, &c.

(signed) *John Lefevre.*

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Enclosure in No. 64.

At the Court at St. James's, the 5th of June 1834;

Present, The KING's most Excellent MAJESTY in Council.

Enclosure in No. 64.

WHEREAS the Governor of His Majesty's Island of Barbadoes, with the Council and Assembly of the said Island, did pass an Act in the month of April last, which was reserved for the signification of His Majesty's pleasure, intituled as follows; viz. "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers;" which Act having been referred to the Committee of the Lords of His Majesty's most honourable Privy Council appointed for the consideration of all matters relating to Trade and Foreign Plantations, the said Lords of the Committee have reported as their opinion to His Majesty that the said Act should receive His Majesty's royal confirmation:—His Majesty was thereupon this day pleased, by and with the advice of his Privy Council, to declare His confirmation of the said Act, and the same is hereby confirmed, ratified and finally enacted accordingly: Whereof the Governor, Lieutenant-governor or Commander-in-Chief of His Majesty's Island of Barbadoes, for the time being, and all other persons whom it may concern, are to take notice and govern themselves accordingly.

(signed) *C. C. Greville.*

—No. 65.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith.*

No. 65.

Sir, Downing-street, 12 August 1834.

IN my Despatch of the 7th June last I intimated to you, that although it appeared to His Majesty's Government that there were several points in the Barbadoes Act for the Abolition of Slavery which required modification and amendment, in order to carry into full effect the intentions of the Imperial Parliament; yet as the Act contained a suspending clause, and could not therefore have the force of law until His Majesty's decision should have been pronounced upon it, and as much inconvenience might accrue to the Colony of Barbadoes in case there should be no law in operation for the government of apprenticed labourers in that Colony on the 1st August, His Majesty had been advised to confirm the Act: and I at the same time informed you that it was my intention to take the earliest opportunity of communicating with you in detail respecting those modifications and amendments.

Believing as I do that the Legislature of Barbadoes have endeavoured to carry into effect the intentions of Parliament, not only as respects the main and important object of the Abolition of Slavery, but also as relates to the supplementary laws, which in the preamble of the 16th sec. of the Slavery Abolition Act, passed by the Imperial Parliament, were indicated as necessary to complete the system of apprenticeship; believing also, that as to those points in which the Legislature of Barbadoes has deviated from the provisions of the model draft sent out for their consideration in October last, such deviations have for the most part originated solely in considerations arising out of the local peculiarities of the Island, it would have afforded me very sincere gratification had I been enabled to convey to you that full and entire approbation of the Act by His Majesty in Council, which Parliament has declared to be necessary in order to entitle each Colony to its respective share of the compensation fund voted by Parliament.

Fortunately, however, the defects in the Act now before me, which have precluded His Majesty from adopting that course, are neither numerous nor difficult of removal; and I feel assured that upon their being pointed out to the Legislature of Barbadoes, the alterations which it is my duty to suggest will be most cheerfully adopted.

In proceeding to direct your attention to those parts of the Act which require amendment and modification, I shall divide the subject into two general heads, namely,

I. As to those portions of the Act which are inconsistent with the Act of Parliament for the Abolition of Slavery.

II. How

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II. How far the supplementary enactments contemplated in the Act of Parliament, and indicated in the preamble of its 16th section, have been effectually provided for in the Barbadoes Act.

The 4th section of the Act of Parliament declares that the apprenticed labourers are to be divided into three classes. The definition therein given of prædial labourers is, that they are persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners (in the case of those attached to the soil), or on lands not belonging to their owners (in the case of the unattached). To this definition the 4th section of the Barbadoes Act adds another in the following words, "or otherwise engaged in labour or occupations not continuous."

Although it is difficult to understand the exact force and meaning of the phrase, yet it is certain that if it has any effect at all, it must transfer to the prædial class individuals who, under the Act of Parliament, would be entitled to be placed in the non-prædial class.

I feel unable to consent to a clause having this objectionable result; for, independently of the just claim which the apprenticed labourer has to be placed precisely in that position which Parliament has destined for him, I foresee that much difficulty and litigation would arise from the confliction of the rights and obligations created by the Act of Parliament, with those which are laid down in the Barbadoes Act.

I am the less reluctant to urge upon the Legislature of Barbadoes the adoption of the Parliamentary definition, because I perceive that the Jamaica Legislature have followed that course, and I have received no intimation from that Colony of any resulting inconvenience. I am aware that it is not impossible that some of the negroes who, in consequence of the additional definition to which I have adverted, may have been placed in the prædial class, may desire to remain in it; and I should therefore be disposed to approve of a clause giving to such negroes the option of being counted as prædials, upon their notifying their wish to that effect in the presence of a magistrate.

By the 4th section of the Act of Parliament, it is provided that no person of the age of 12 years and upwards shall, by any Act of Assembly, be included in either of the two classes of prædial labourers, unless such persons shall, for 12 calendar months at the least next before the passing of the present Act, have been habitually employed in agriculture or in the manufacture of colonial produce.

In the 4th section of the Act of Assembly the same words are employed.

Upon this section you very properly pointed out as an objection, that a new date had in fact been assumed from which to calculate the period of prædial service which must have elapsed in order to constitute a man a prædial apprenticed labourer. To this the Council answered, that though the date is varied, the result will be the same; that Parliament carry back the prædial service to 12 months before the 28th of August 1833, merely to defeat collusive changes of occupation, introduced with the view of altering the future destination of a labourer; that by substituting the 8th of April 1833 as the period of commencement, that object will be as effectually secured, because at that time the project of converting slaves into apprenticed labourers being unknown in Barbadoes, no fraudulent evasion of it can have been effected or contemplated at so early a date.

They add, that the Jamaica Act, which has been approved of by His Majesty's Government, has a clause of the same tenor.

Although I am perfectly satisfied that the alteration of the date was made in perfect good faith, yet as it has in fact rendered the clause inconsistent with the Act of Parliament, the same reasons which made me object to the alteration introduced in the classification of apprentices by means of the additional definition contained in the Barbadoes Act, induce me to expect that the Legislature of Barbadoes will agree to adopt the original date contained in the Act of Parliament.

A similar observation is applicable to the 5th section of the Barbadoes Act.

As regards the reference made by the Council to the Jamaica Act for the Abolition of Slavery, I have only to observe that His Majesty's Government have drawn the attention of the Legislature of that Colony to the propriety of removing this discrepancy, by altering the date in that Act.

 A proviso

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A proviso is added to the 4th section of the Barbadoes Act, which, if I rightly understand it, is as follows:—There are certain offences mentioned in a subsequent part of the Act, which, according to its provisions, would render a non-prædial labourer liable to be adjudged by a special magistrate to become a prædial. Now, it is enacted, that if the employer shall dismiss from domestic service any non-prædial for any such offence, the person so dismissed shall therefore, and without any previous adjudication, enter the prædial class; a right being reserved to the labourer to appeal to the justice, who shall determine to what class he shall belong. This meaning is conveyed in obscure and circuitous language. When thus explained, it is I think decidedly objectionable. It is not only repugnant to the 4th section of the Act of Parliament, which obviously contemplated a fixed and permanent term of apprenticeship to each man, but it places in the hands of the employer that power of punishment, (namely the prolongation of the apprenticeship), which the 17th section of the Act of Parliament expressly denies to him.

Independently of this objection to the proviso, arising from its contravening the Act of Parliament, there is another ground which would make me hesitate to sanction it. It is impossible not to perceive that the conversion of a domestic into a field labourer may, in consequence of the totally different nature of the employment, inflict upon him a most severe and objectionable punishment.

The 33d section of the Barbadoes Act authorizes the attendance of apprentices at the celebration of divine worship in any church or chapel whatsoever. It is obviously necessary, in order that this clause should be in conformity with the 21st section of the Act of Parliament, that the right of attendance on public worship should not be restricted to churches and chapels only.

II. In considering how far the supplementary provisions contemplated in the Act of Parliament, and indicated in the preamble of its 16th section, have been effectually followed up by the Barbadoes Act, I shall, for the sake of perspicuity, discuss the subjects to which those provisions relate, in the order in which they are placed in the model draft to which I have already adverted.

1. The first chapter of the model draft relates to the judicial and ministerial agency to be employed. This chapter corresponds with the following clauses of the Act, viz. sections 39, 74, 75, 108, 109, 110, 111 and 112.

I perceive that although, in the Barbadoes Act, the Island is divided into districts, no provision is made for the establishment of a permanent stipendiary police. Having been informed, however, that this subject has been since under the consideration of the Barbadoes Legislature, I shall not at present make any observations on this point.

By the 108th clause, a right of appeal to the Governor and Council from the decision of any justice of the peace, is reserved to any person who may feel himself aggrieved by any such decision. It appears that you stated as an objection to this section, that this appeal would subject the special justices to a control not contemplated by the Act of Parliament. The Council urged, in answer to this objection, that the constitutional privilege of appeal not being abrogated by any part of the Act of Parliament, must be presumed to remain in existence, and that consequently the two Acts are in strict accordance. I do not think that your objection is removed by this answer; for although it may be true that Parliament has not taken away any precedent right of appeal, yet I am not prepared to admit that any such right existed as against the special magistrates.

I trust, therefore, that the Barbadoes Legislature will abandon this reservation, as being inconsistent with the intentions of Parliament. Should they deem it advisable, however, to constitute some controlling power over the special justice, by means of a board of special magistrates, to be convoked by the Governor, I should not be disposed to object to an enactment calculated to effect that object.

The 111th and 112th sections of the Barbadoes Act, which provide for the appointment of special constables on plantations, from the apprenticed labourers belonging to such plantations, require some modification.

The right to confine for safe custody should, as regards the apprenticed labourers attached to the plantation, be limited to cases in which any others of His Majesty's subjects might be taken into custody by the ordinary special constable, or to cases in which it is presumable that the apprenticed labourer, having offended against the law established by this Act, will attempt to escape.

Moreover,

Moreover, all buildings used as places of confinement, however temporary, should have been previously approved of for that purpose either by a special magistrate or by the Governor, and should be occasionally visited by one or more of the special magistrates.

2. The second chapter of the model draft, which treats of the procedure to be observed by the special magistrates in the exercise of their jurisdiction, has its counterpart in the 114th to the 116th and in the 119th sections of the Act under consideration. The correspondence is so far complete as to relieve me from the necessity of making any observations on this part of the subject.

3. Upon the third topic of the model draft, the division of the labourers into their respective classes, which is provided for by sections 5 to 12 of this Act, I have only to urge the repeal of the 12th section, which authorizes the transfer of the apprentice in certain cases from the non-prædial to the prædial class. I have in the early part of this Despatch pointed out to you the grounds of this suggestion.

4. The maintenance of the apprenticed labourers is the subject of the 4th chapter of the model draft, and of the 27th to the 36th, and the 71st to the 73d sections of the Act under consideration.

The Act of Parliament, by its 11th section, declared the apprenticed labourer entitled to the same maintenance which the law assigned to a slave of the same age and sex. The then existing law of Barbadoes appears not to have given the slave a right to any definite allowances, but imposed a penalty on the master, in case he (having the means of providing necessary food for his slaves) should withhold such food; and a small penalty is likewise imposed upon the master, in case he should not furnish his slaves annually with decent and sufficient clothing, suitable to their age, sex and condition.

The Act which is the subject of this present Despatch defines the specific quantities of food which are to be furnished to apprenticed labourers, and specifies the clothing which is to be provided for the prædial classes.

I have considered this scale of food and clothing with every disposition to give due weight to the local knowledge of the parties who have thus legislated, and with a sincere desire to do justice to the employer as well as to the apprenticed labourer; but I am unable to arrive at any other conclusion, than that the quantities which the Act defines are insufficient.

In support of this conclusion, I might bring forward the enactments which several of the other West India Legislatures have made upon this subject; but I think it the more satisfactory course to avoid instituting a comparion which might appear invidious, and to state frankly what modifications in the Act will be necessary upon this head, in order that it may be declared adequate and satisfactory. These modifications are as follows:

The weekly allowance of fish should not be less than 2lbs.

All apprenticed labourers above the age of 10 years should be entitled to the full allowances; and all under 10 years of age to half allowances.

To the list of clothing to be annually supplied to males, a shirt and a pair of trowsers should be added; and a corresponding increase should be made to the clothing of females.

A blanket should be provided for such apprenticed labourer once in two years.

To these enactments I feel it my duty to suggest, as an indispensable addition, a proviso so framed as to secure to the apprenticed labourer such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as, by the law in force in Barbadoes at the time of passing the British Act for the Abolition of Slavery, an owner was required to supply to and for any slave being of the same age and sex as such apprenticed labourer might be, except so far as the same are adequately supplied to such apprenticed labourer under or by virtue of the Act now under my consideration.

Whilst upon this subject I have further to remark, that this 27th section appears to me to impose inequitable restrictions upon the legal remedies given to the labourer for securing the regular delivery of his food. There is a limitation of 14 days, after which no penalty can be recovered against an employer for omitting to deliver the food of his apprentices. I cannot perceive the justice of fixing so short an interval, since it may often elapse without the possibility of access to the justice, except at a loss of time to the apprentice far more

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serious than could be compensated to him by recovering double the value of the food withholden.

Moreover, if before the complaint be lodged, the employer shall tender the deficient supplies, he is to be discharged from all penalties. I need not point out to you that, under this regulation, the apprenticed labourers might be exposed to the liability of the most inconvenient irregularities in the delivery of their weekly sustenance.

5. The fifth chapter of the model draft relates to the duties to be performed by the apprenticed labourers, and the penalties for their non-performance. On the same subject, the Act under consideration treats in sections 13 and 15, in sections 58 to 70, and in the 104th section.

The 14th section of the Barbadoes Act provides that prædial apprenticed labourers, who may be employed in the protection of any crops, buildings or property of any kind, or in the care of cattle or any other stock, shall be compelled to perform their several services for the whole week, and shall be entitled to such wages or remuneration for such extra services as shall be agreed on between such prædial apprenticed labourer and his or her employer or employers; and in case of disagreement, then to such wages or remuneration as shall be sanctioned by the special justice of the peace of the district to which such apprenticed labourer shall belong.

Admitting that there is much that is fair and reasonable in this provision, I am nevertheless compelled to object to it, inasmuch as Parliament has expressly laid down that the compulsory service of prædial apprenticed labourers shall not exceed 45 hours per weeks, unless when they are sentenced to extra labour by the magistrate.

For the like reason, the 15th section of the Barbadoes Act is inadmissible as at present framed. This section enacts, that in all cases of urgent necessity, it shall be lawful for the employer to require and compel the immediate and continued service of all or any of the apprenticed labourers attached to such property, during such emergency. I think, however, that if the urgent necessity here spoken of had been limited to fire and tempest, and occurrences of a similar nature, I might venture to sanction this enactment without infringing the spirit of the British Act. The nature of these emergencies would of course preclude the possibility of obtaining the previous sanction of the special justice; but they should be reported to him as soon as possible, and he should have the power of ordering such remuneration to the apprenticed labourers employed, as he may think reasonable.

The 58th section of the Barbadoes Act enumerates the different reasons which may alone be admitted as a sufficient apology for the absence of a labourer from his employer's service. They are, first, sudden illness during extra hours, beyond the limits of the plantation, in which case the sick man is to convey the earliest notice to his employer; and secondly, legal process compelling the labourer to attend any court or justice of the peace. No other excuse can be admitted. In the model draft the general rule is laid down, that the absence must be occasioned by a cause which the justice shall declare reasonable. Many cases might be supposed in which the more precise enactment of this 58th clause would work great injustice. For example, a labourer may be detained from his own plantation by the sudden and extreme illness of some very near relative at a distance from it; or by weather too tempestuous to admit of his return home; or by the breaking down of a bridge to be crossed in his homeward path. To declare that none of these apologies shall avail, but that, be the hindrance what it may, the apprentice shall forfeit to his master twice the time lost, seems to me a severe and inequitable rule. I trust, therefore that the Legislature of Barbadoes will reconsider this clause, and will adopt the more just and liberal terms contained in the model draft, from whence they copied the clause, with this variation.

The 104th section enacts, that an apprenticed labourer committing any trespass, or guilty of uttering any slander, or of publishing any libel, shall, on conviction by the special justice, be subject to imprisonment for three months with hard labour, or for one month in solitude.

I perceive no ground for placing the apprenticed labourers as regards these offences, unless when they are committed against their employer or his property, upon a different footing from other free persons. I feel myself unable, therefore, to sanction this clause in its present shape; and even if it were modified

fied so as to apply to all free persons, or so as to be made applicable only to the relation between employer and apprentice, I should still object to its severity, especially as regards libel and slander.

Upon the subjects which are respectively treated of in the 8th, 10th, 11th and 12th chapters of the model draft, and which are provided for by various sections of the Barbadoes Act, I find it unnecessary to make any further suggestions in addition to the observations I have made on the 104th section of the Act.

With regard, however, to the 24th section of the Barbadoes Act, which corresponds with the 9th chapter of the model draft, and relates to the removal of apprenticed labourers from one plantation to another, I must observe that it is inconsistent with the Act of Parliament, as sanctioning what that Act expressly forbids, not only in reference to the separation of children of 10 years old from their parents, but also (as you very justly remarked) in reference to the temporary employment of prædial attached apprenticed labourers, on plantations other than those to which he is attached. Upon this latter point the Act of Parliament, section 9, leaves no discretion to the local Legislatures,

I have, &c.
(signed) *T. Spring Rice.*

— No. 66. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 7 April 1834. No. 66.

HAVING recently returned from a tour round the Islands of this Government, I have the greatest satisfaction in reporting the perfect tranquillity of the negro population.

I have, &c.
(signed) *Lionel Smith.*

— No. 67. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*, dated Government House, Barbadoes, 1 May 1834. No. 67.

I HAVE the honour to transmit copy of a Message which I addressed to the House of Assembly of this Island, recommending them to abolish the power of flogging slaves by owners or other employers, in anticipation of the system which must commence on the 1st of August, by confining that power to magistrates only. 9 April 1834.

I enclose you the reply of the House to my recommendation, from which you will perceive there is little chance of their attending to it. 29 April 1834.

Enclosure in No. 67.

COPY of a MESSAGE from the Governor to the Honourable House of Assembly, dated 9 April 1834.

I BEG to recommend to the House to take into consideration that, as an Act for the Abolition of Slavery has been passed, to come into force on the 1st of August next, it would be extremely desirable if the Legislature would intermediately pass a short Bill, abrogating the power of inflicting punishment on slaves by owners, employers, or any other individual whatsoever, under necessary penalties; and transferring that power to the magistrates of towns and parishes. Enclosure in No. 67.

This practice has partially existed by arrangement of estates, with great advantage; and if generally adopted previously to the Abolition Act coming into a law, (say from 1st June next,)

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next,) it would give experience in its operation highly useful, and become a means of improving the Abolition Act itself, if found desirable.

If the Honourable House should be pleased to act on this suggestion, respectfully submitted as one of eventual importance to the tranquillity of the Island, by obviating the consequences of too sudden innovations on the condition of the bonded population, I shall be prepared with a new and extended commission of the peace, to give such a measure practical effect.

(signed) *Lionel Smith.*

Copy of REPLY of the House of Assembly.

The House of Assembly respectfully beg leave to acknowledge the receipt of his Excellency's Message of the 9th instant, submitted to the House at its last meeting, suggesting that "as the Act for the Abolition of Slavery would come into force on the 1st August next, it would be extremely desirable if the Legislature would intermediately pass a short Bill, abrogating the power of inflicting punishment on Slaves by owners and others, and transferring that power to the magistrates of towns and parishes."

In reply to which the House beg to inform his Excellency, that as the Slave Act empowers owners to prefer complaints to magistrates against slaves for misconduct, instead of exercising their own authority, the House have reason to hope that recourse will be had to such authority in all flagrant cases; but as a general measure the House conceive that it would not be practicable, unless the magistrates of the Island were placed on a different footing, by being remunerated with salaries instead of fees; a change much to be desired, but which the advanced state of the session prevents their entering upon.

By order of the House,

House of Assembly, 29 April 1834. (signed) *N. Forte*, Speaker.

— No. 68. —

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 3 July 1834.

No. 68.

I have the honour to transmit herewith copy of a Minute which I yesterday laid before His Majesty's Council, proposing to observe, as a day of solemnity and thanksgiving, the 1st of August next, in commemoration of the great event affecting so many millions of our fellow creatures, which will take place on that day.

The other reasons which influenced me in making the suggestion are stated in the Minute; but they were not considered sufficiently strong by the Council to induce them to acquiesce in the proposal; which I have, therefore, simply recorded in the proceedings of the Honourable Board.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 68.

MINUTE by the Governor.

Government House, 2 July 1834.

Enclosure in No. 68.

I beg respectfully to propose to the Honourable Board, that Friday, the 1st day of August next, be observed throughout the Island, by proclamation, as a day of thanksgiving, to commemorate in due form and solemnity the great change which commences that day in the condition of a large proportion of the population.

Great advantages would, I consider, be derived from this solemn recognition of the Imperial Act for the Abolition of Slavery.

It would impart to all classes an earnest confidence in the great event which that day establishes, and it would impress upon the slaves themselves a conviction of the benefits intended to be bestowed; while the rendering it a day of thanksgiving would prevent their going into the extremes of idle or dissipated rejoicing, should any be so disposed.

I beg, therefore, to take the sense of the Council upon this proposition, and I shall be governed accordingly.

(signed) *Lionel Smith.*

The Honourable The President
and Members of His Majesty's Council.

—No. 69.—

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No. 69.

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Right Hon. *T. Spring Rice*, dated Government House, Barbadoes, 28 July 1834.

I DO myself the honour to enclose herewith an application from the Council and Assembly of Grenada for more troops, together with my reply.

As the eventful 1st of August approaches, apprehensions and alarms seem to seize the planters and white inhabitants generally of these Islands; and they look with anxiety for increased means of protection from regular troops.

My letter of the 19th instant will have informed you of the state of St. Christopher's; and the fact of my inability to send further military assistance to that Island, will also answer the application from the Chief Justice of Tortola, transmitted to me in Mr. Lefevre's letter of the 6th ult.

I have had no further accounts from St. Christopher since the departure of His Majesty's ships Belvidera and Wasp, by which I sent a supply of arms and ammunition for the militia.

It would grieve me if you thought me capable of yielding to false alarms, and thereby disappointing the generous hopes of His Majesty's Government of carrying through a peaceful emancipation: but beset as I am on all sides for succour I cannot render, it is due to my character that I should fully expose to you the difficulties of my present position.

—No. 70.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 19 September 1834. No. 70.

I HAVE duly received your Despatch-general of the 28th July, enclosing an application from the Council and Assembly of Grenada, together with your reply, and stating the general impressions which prevail in the Windward and Leeward Islands as to the want of military protection.

I fully appreciate the prudent and humane spirit in which you comment upon the views taken by the Colonists of the present state of affairs. I trust, however, that notwithstanding the unfavourable circumstances to which you advert, the reinforcement of troops which will reach you nearly at the same time with this Despatch, and the arrival of the Dee steam vessel to facilitate military communication, will diminish the anxiety which you must necessarily feel at this conjuncture.

I am, &c.
(signed) *T. S. Rice.*

—No. 71.—

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

Sir, Government House, Barbadoes, 31 July 1834. No. 71.

I HAVE the honour to transmit herewith for His Majesty's gracious consideration, transcript of an Act intituled, "An Act for the establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith;" accompanied by the report of His Majesty's Attorney-general, and a letter from that officer, to which reference is made in the report. Act printed in Appendix (B.) No. 10.

Concurring as I do in all the observations which Mr. Sharpe has submitted with 14 July 1834.

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with reference to this Act, I have only further to enclose copy of a Message to the Council, stating the only ground on which I was induced to assent to it, notwithstanding the objections with which it abounds, and the arbitrary and unnecessary powers it confers upon an armed police, over whom the Executive can exercise little or no control.

I have, &c.
(signed) *Lionel Smith.*

Enclosure in No. 71.

MESSAGE from the Governor.

Government House, 14 July 1834.

Mr. President and Gentlemen of the Legislative Council,

Enclosure in No. 71.

THOUGH I have this day assented to the Rural Police Bill, I have done so purely in the spirit of Mr. Stanley's letter of the 19th October 1833; for I consider it highly objectionable, as founded in a spirit of distrust towards the Executive and the special magistrates, and giving most arbitrary and dangerous powers to an armed police, over whom there is little control.

(signed) *Lionel Smith.*

— No. 72. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice.*

Government House, Barbadoes,
No. 72. Sir, 5 August 1834.

I HAVE great satisfaction in reporting, that the apprenticeship commenced in this Island on the 1st August, the labourers throughout the country going to their usual occupations with obedience and cheerfulness. I take the opportunity of reporting, that six special magistrates have arrived for this Island; that they have been sworn in and commissioned, and are in the execution of their duties in the several parishes they are appointed to.

I shall not fail to communicate the result of the new system of labour in the other Islands of the Windward Government, as soon as I hear from the Lieutenant-governors.

I have, &c.
(signed) *Lionel Smith.*

—No. 73.—

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith*, dated Downing-street, 18 September 1834.

No. 73.

I HAVE received and have laid before the King your Despatches of the 5th and 6th August, and His Majesty has received with the greatest satisfaction the favourable reports which they contain of the state of affairs in Barbadoes and Tobago, and entertains a sanguine hope that your anticipation of equally good accounts from Grenada and the other Islands will be realized.

The course taken by Lieutenant-governor Darling for obtaining the authority supposed to be wanting to appoint special magistrates, appears to have been the only one he could adopt, after the opinion expressed by his law adviser, and until he was relieved from his difficulties by the receipt of your instructions.

— No. 74. — BARBADOES.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice.* No. 74.

Government House, Barbadoes,
Sir, 26 August 1834.

I have the honour and satisfaction to state to you, that perfect tranquillity, by my latest accounts, exists in all the Islands of the Windward Government.

Grenada, on the commencement of the apprenticeship system, was partially disturbed by refractory negroes on two estates. The prompt action of the civil and military authorities immediately restored order.

In St. Vincent's one estate only struck work, and order was soon restored. I beg to transmit copies of two Despatches from the Lieutenant-governor on the subject. 2 August 1834. 9 August 1834. Printed with the St. Vincent Correspondence.

In Tobago and this Island the negroes have been perfectly orderly and steady at their duties.

You will of course receive Despatches from the respective chief authorities of Demerara, Trinidad, St. Christopher's and Dominica, all of which have in the new state of things been considerably agitated.

In my capacity as Commander of the Troops, I received an application from the Lieutenant-governor of Trinidad for a reinforcement, which I saw strong objections to complying with; and the enclosed letter, subsequently received from Sir George Hill, will satisfy you it was unnecessary, and that the unfortunate feeling of the negroes there was fast subsiding. No. 1. 3 August 1834. No. 2. 13 August 1834. No. 3. 15 August 1834.

In St. Christopher's, where martial law had been proclaimed and some severe examples made, you will be glad to find the military means, aided by the militia, were found ample; and by my last Despatches from Sir Evan M'Gregor, the disturbance in that Island was fast settling down.

The Windward squadron, under Captain Strong, of the Belvidera, afforded as usual the most cheerful and important services in aid of the troops; and Grenada and Trinidad will each receive a ship to aid in maintaining the public tranquillity.

I have, &c.
(signed) *Lionel Smith.*

Enclosure 1, in No. 74.

Sir, Government House, Trinidad, 3 August 1834. Enclosure 1, in No. 74.

I have the honour to state to your Excellency that an excitement amongst the apprenticed labourers of this colony is so general, attended with a determination declared not to remain on the estates to which they respectively belong, and proved by the entire gangs of 25 of the principal estates having struck work and prepared themselves to march into Port of Spain, an apprehension is entertained that there is not a sufficient force to repress them and prevent a junction with the negro apprentices in this town, which is in number many thousands.

I have therefore been urged by the unanimous vote of the Council, earnestly to call upon your Excellency to reinforce the troops in this Colony by the addition of 200 men.

The Council of Government have by a similar vote requested me to make application to the senior naval officer to send here a ship of war from Barbadoes.

I had taken great pains to visit most of the estates in this Island, and to explain in the minutest manner to the negroes what was to become their state after the 1st of August, as contrasted with their heretofore condition of slavery. I had expected that most of them would, after Sunday the 3d instant, return to their work; however, accounts from very many parts of Trinidad announce this day their determination not to work, but to force their entire freedom.

I have been powerfully solicited to declare martial law. This extreme measure I will abstain from adopting until I shall be conscientiously convinced that it is indispensable.

I have, &c.
(signed) *G. F. Hill.*

Enclosure 2, in No. 74.

Sir, Government House, Barbadoes, 13 August 1834. Enclosure 2, in No. 74.

At the hour of nine o'clock this morning I had the honour to receive your Excellency's duplicate despatch, dated 3d August, in which you represent a considerable state of excite-

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ment to exist among the apprenticed labourers of Trinidad, gangs of 25 of the principal estates having struck work and prepared themselves to march into Port of Spain.

Under these circumstances, by and with the advice of your Council, you request the additional aid of 200 troops of the line.

It is painful to me to inform your Excellency, that having only 800 rank and file at head quarters, it is utterly out of my power to comply with your requisition; and even if I had the means, there being no ships in harbour at this hurricane season, they could not be sent.

The army in the West Indies is so reduced and dispersed, it has been evidently the expectation of His Majesty's Government that the different Islands and Colonies should maintain the means of preserving their own internal tranquillity; and in cases only where the civil power and militia had failed in putting down mobs and disturbances, should I feel perfectly justified in augmenting the established garrisons of the line, even if my means admitted of my doing so.

In the present case I anxiously promise myself your Excellency's judicious application of your own resources, having, I believe, a very efficient militia, and an available white population, will prove sufficient to overcome the ebullitions of disappointment among the sugar labourers; as a similar spirit which evinced itself in several other Islands has already subsided without extraordinary military aid.

We have no ship of war here, but I have sent a copy of your Excellency's letter express to the senior naval officer commanding off St. Christopher, and urged the advantage of his immediately providing a ship for Trinidad.

I have, &c.
(signed) *Lionel Smith.*

Enclosure 3, in No. 74.

Enclosure 3, in No. 74.

Sir, Government House, Trinidad, 15 August 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch of the 13th instant, and am happy to acquaint you, that tranquillity has been so generally restored upon the plantations, that the aid which was requested of your Excellency by my letter of the 3d instant, is no longer considered necessary.

A vessel of war would be most useful, in the event of any further ebullition in the districts remote from Port of Spain; and I therefore hope it may be in the power of the naval commander to afford one.

I beg to assure you of the great satisfaction I felt in the co-operation of Colonel Hardy and Colonel Doherty.

I request your Excellency to accept my best thanks for the promptitude with which you forwarded my despatch to the senior naval officer.

I have, &c.
(signed) *G. F. Hill.*

Major-general Sir Lionel Smith, K.C.B.
&c. &c. &c.

— No. 75. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith.*

No. 75.

Sir, Downing-street, 15 October 1834.

I HAVE great pleasure in acknowledging the receipt of your Despatch (and its enclosures) of the 26th August last, communicating the continued tranquillity of all the Islands of the Windward Government.

I have laid this Despatch before the King, and have been honoured by His Majesty's commands to express to you, and through you to the several officers acting under your command, His gracious expressions of satisfaction at the result which has attended your respective exertions.

The zeal and discretion which has been generally evinced by His Majesty's servants throughout the Colonies, the co-operation which has in the great majority of cases been cordially given by those interested in West Indian property, and the good conduct, with but a few exceptions, of the labourers themselves, enable His Majesty to entertain the most earnest hopes that, by a steady perseverance in the same system, the improved condition of the apprentices and the progress of industry within the Colony may be promoted and secured.

It is gratifying to His Majesty to find that no serious inconvenience has resulted from the necessity in which you found yourself placed of refusing military aid to Trinidad. Although the satisfactory state of things which you describe relieve my mind of some anxiety on the subject of the military force

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at your disposal, I trust that before this Despatch shall reach you, an additional regiment will have been placed under your commond, as well as the important addition to your means of government, of a steam-boat.

I have not failed to lay before the King your testimony of the zeal and efficiency of the services rendered by Captain Strong, and the officers and men under his command; and His Majesty has been graciously pleased to authorize me to communicate his Royal approbation, through the Lord Commissioners of the Admiralty.

I have, &c.
(signed) *T. S. Rice.*

— No. 76. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*, dated Government House, Barbadoes, 26 August 1834. No. 76.

I DO myself the honour to enclose herewith for His Majesty's gracious approval, two Acts passed by the Legislature of this Island; one a Police Act for the town of Bridge Town, and the other an Act declaring what persons shall be liable to serve in the Militia. The Attorney-general's opinion accompanies the former Act. Act printed in Appendix (B.) No. 11.

I was obliged to object to the Police Act twice, in an endeavour to support the King's prerogative, and to prevent two or three clauses, in themselves arbitrary and unusual, from taking effect.

One of my principal objections had been against the extraordinary powers given to the vestry. I had myself, in conversation with a member of the Assembly, approved of the vestry exercising the powers of commissioners over the police magistrates, but I could never approve of their making bye-laws; for though there is the pretence that these laws should be finally approved by the Governor, Council and Assembly, they knew perfectly well that I had no control over the other branches.

The Police Bill having been deferred till the eleventh hour, purposely, I believe, to force my assent, rather than leave the town without a police; and some favourable modifications having been adopted, I gave my consent accordingly. But the magistrates were selected by the Council.

— No. 77. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*, dated Colonial Office, 10 January 1835.

I TRUST it will be in my power to transmit to you by the packet which is appointed for the 15th instant, or at furthest by that which stands for the 1st of February, Orders of His Majesty in Council, disposing of various Acts of the Legislature of Barbadoes, passed in the months of July and September last. With reference to these Acts, it is necessary that you should be placed, with as little delay as possible, in possession of the views of His Majesty's Government. No. 77.

The Police Acts for Bridge Town, Barbadoes, and for the country districts of that Island, are important, not only in reference to the subject of which they treat, but still more so in regard to the principles which they would establish or assume.

It has been objected to the Bridge Town Police Bill, that the effect of it would be to perpetuate, indirectly and in fact, one of those invidious distinctions referable to European and African origin, which by the mere text of the general law have been abolished. The ancient voters for vestrymen, all of whom were white, retain their ancient low qualification; but the new voters, the great mass of whom are of African descent, are required to possess a much more considerable amount of property. I am not insensible to the force of this objection; yet I cannot think that it ought to be conclusive against the Act itself, nor indeed that the argu-

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The weight which I attach to the preceding remarks is not such as would justify an immediate disallowance of the Act itself: because I trust, that when brought under the consideration of the Council and Assembly, those bodies will feel their justice, and will be prompt to make the necessary amendments in the law. But the decision of His Majesty in Council will be suspended until it shall appear whether the local Legislature will concur in the two amendments which are regarded as indispensable: the first, that the appointment of the city magistracy be vested in the Governor alone; the second, that an express reservation be made to the special magistrates of their exclusive cognizance of all questions arising between apprenticed labourers and their employers.

The Rural Police Act, I regret to observe, presents difficulties of a more insuperable character. Under the name of commissioners, it transfers to the members of the House of Assembly one of the most important functions of the executive government; thus, in opposition to the clearest principles of sound policy, combining in the same persons the legislative and administrative power. Such a scheme must be totally destructive of that responsibility which should accompany every public trust, and is unfavourable even to that quick and effective feeling of moral obligation of which the full force is scarcely ever felt by men when acting in large numbers and in concert. From such a project, waste of the public resources, and an habitual abuse of patronage, must be anticipated. Such a commission, invested with such an authority, is also at total variance with the monarchical principles of the British Government. If sanctioned, it would form the precedent for further encroachments of the same kind, as indeed it would create the necessity for them; and to the Assembly,

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in their new character of commissioners, would thus gradually be transferred all the powers of the State.

These considerations acquire peculiar weight from the circumstances of the present moment. The police, of which the Assembly claim the government to themselves, are to give effect to the Law for the Abolition of Slavery. It would be difficult, in the whole range of civil history, to point to any event so calculated to create or to stimulate those prejudices by which the different classes of society are separated from each other. On the one side, powers long exercised, of vast extent and highly valued, are surrendered; and on the other side, all the social rights so long withholden and so earnestly courted, are conferred on the great mass of the population. Hence the great difficulty of carrying the scheme of abolition into effect: because the natural leaders of society were, from the nature of the case, disqualified from acting as agents of the Legislature in the accomplishment of their designs. Parliament accordingly gave and received the most distinct pledges, that the execution of the new system should be confided to those who had no personal connection with slavery or apprenticeship. To enable His Majesty's Government to fulfil that pledge, the people of this kingdom, by their Representatives, cheerfully subjected themselves to a large annual expenditure. But this Act would entirely reverse that policy. Leaving the special magistrates to be named by the Crown, it places him and the police, through whose ministry he must act, under the immediate direction and control of a body of gentlemen, every one of whom, in his individual capacity, will probably, as an employer of apprentices, be amenable to those magistrates and to that police.

I further observe, that this is a permanent Act, and is not limited in duration to the continuance of the present exigency. His Majesty's Government must indeed hesitate in sanctioning, as an established system, a law which would thus place the whole rural police and magistracy of the Colony, and with them the whole labouring population, under an irresponsible power.

Passing from general to more particular objections, I perceive that the commissioners, though entrusted with a large expenditure of public money, are to give no security against an abuse of that trust; and are to purchase lands, not in the name of the King, but in the names of themselves and their successors. Thus, in addition to their other privileges, investing them with all the rights of a permanent municipal corporation.

To the same body, that is, virtually to the Assembly, is assigned the power of altering and removing all the officers of police throughout the Island, and even of regulating their dress and accoutrements.

All bye-laws and regulations for the government of the police are to be made by the commissioners, who are also to establish rules respecting the labour of persons condemned to the public works, and respecting prison discipline. Thus upon all these important heads of legislation, the Assembly, by virtue of their majority in the commission, acquire for themselves a legislative power, from all participation in which His Majesty is excluded, and over which no effective check can be exercised even by the Council.

The topics to which I have last adverted have no necessary or proper connection with the main object of this law. In the same manner is introduced a clause giving to the commissioners the power of appointing and of removing for misconduct the keepers of the houses of correction.

The jealousy manifested throughout this Act of His Majesty's authority as exercised by the Governor, is such as His Majesty cannot be advised to acknowledge as either constitutional in itself, or as merited by any act of His Government. Even the suspension of a police officer, though proceeding from the special justice, can neither be confirmed nor disallowed by the Governor alone, but must receive the sanction of the Council; that is, of one of those bodies from which the commissioners are to be drawn. Yet when hazardous measures are to be taken, and a fearful responsibility incurred, as on the proclamation of martial law, the Governor is to assume the entire management of the police. He is to be called to his appropriate duties, and to have a due confidence reposed in him, when it is attended with a great risk, and then only.

Even in the visitatorial power created by this law, the same indiscriminate and unmerited distrust is exhibited. The visitors are to be the Governor, the members of the Council, and the Speaker of the Assembly. Thus the body

BARBADOES. who are to act as a check upon the Commissioners are to be composed of five of their own number, and of the person by whom all the rest are selected from the Assembly, joining with themselves His Majesty's local Representative, to lend by his name a weight and countenance to this part of the general institution to which it has no just claim. He will have but one vote in seven. Yet even the faint semblance of control is so cautiously bestowed, that no one definite function is assigned to the visitors; I cannot perceive that they will have any authority at all.

Another proposal for keeping in check the extraordinary power assumed by the Assembly to themselves, consists in the making of periodical Reports of the state and proceedings of the police. But these Reports are to be made by the special justices, not to the Governor, nor even to the visitors, but to the commissioners, and by the commissioners they are to be laid, with their own remarks, before the Legislature. The House of Assembly will, therefore, receive and comment on these Reports in their character of commissioners, and adjudicate upon them in their character of legislators. It would be difficult to perceive what real security against abuse is afforded to society at large by such a process.

On referring to the clauses numbered 34 and 35, it will be seen that the effect of them is to give to the police officers a protection against suits and actions far exceeding that which is accorded to the magistracy, and that it would be almost impossible to dispute with success the lawfulness of any of their acts. But while thus studiously protected against the rest of society, any member of the police may be instantly dismissed and reduced to poverty by a vote of the commissioners, against which there is no appeal. The gentlemen constituting the commission, being all or nearly all employers of apprentices, and having in every part of the Island a body of police thus effective, responsible to themselves, and thus virtually irresponsible to every one else, have established over the labouring population an authority most repugnant to the general spirit of the Slavery Abolition Act.

I cannot close this series of remarks on this law without directing your attention to the fact that, in the sections numbered 13 to 18, are introduced a variety of enactments against the obstruction of highways by carts, the misconduct of waggoners, and the concealment of stolen good; topics foreign to the scope of this Bill, and in no sense indicated in its title.

You will anticipate the conclusion which I have to announce to you, that this Act will be disallowed by His Majesty in Council. To accept it, would be to acquiesce in such an encroachment on the Royal prerogative, and on the relative authority of the three branches of the Legislature, as would, in principle at least, be subversive of the rights of the Crown and of the people at large. His Majesty will gladly acquiesce in the enactments of any law for regulating the police of Barbadoes, which shall place that force under the effective and constitutional control of the Governor; but to that principle you will steadily adhere, in giving or refusing your assent to any Police Bill which may be tendered for your acceptance.

— No. 78. —

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

No. 78. Sir, Government House, Barbadoes, 5 Nov. 1834.

I have much pleasure in reporting the existence of perfect tranquillity in this and the other Islands of the Windward Government.

The Dee steamer arrived here about a fortnight ago, and has proceeded to Antigua, where it is intended to establish a depôt of coals; and on her return here, she will be immediately employed in the removal of troops. The 74th regiment has not yet arrived; but my military Despatches give me reason to expect it immediately. I have no doubt that, with the additional means which have been thus promptly afforded me, I shall find no difficulty in maintaining the present state of order and tranquillity throughout the command.

I have, &c.

(signed) *Lionel Smith.*

— No. 79. —

BARBADOES.

No. 79.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

Government House, Barbadoes,
5 November 1834.

Sir,

I have the honour to transmit herewith an Act of the Barbadoes Legislature, intituled, "An Act to alter an Act, intituled, An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal duties between them and their Employers," together with the observations I have made thereon. I beg to inform you that I have allowed myself a very short time to complete the latter, in order that the present packet may convey the supplementary Act of the Legislature to England. Act printed in Appendix (B.) No. 9.

The agent of the Island is, I am informed, entrusted with the Memorial from the Council and Assembly, to present to you a copy of which has been handed to me, with the Act now transmitted, having reference to the latter, the object of which is to induce His Majesty's Government to waive a part of the objections stated by you in the Despatch of the 12th August last, and to sanction a deviation from the Act of Parliament in some important particulars.

As you will be able to estimate the value of this document when it comes before you through the agent of the Island, by the statements it contains, I do not think it necessary to trouble you with any lengthened observations upon it. I have not been advised with on the subjects to which it refers, except in one particular, and that has reference to the scale of the allowances of provisions. On this subject I was interrogated by the Council one day last week, whether, amongst the complaints made to me during the existence of slavery, I had heard any dissatisfaction expressed at the allowance furnished to the slaves. I unhesitatingly replied I had not; but I beg to guard myself against an admission which may be implied, that I therefore think the present scale of allowance sufficient to maintain in honest habits either the adult apprenticed labourer, or the one under age.

It will, however, be extremely gratifying to me to learn that you are able to afford the Colony some relief in reference to the concluding paragraph of your Despatch of the 12th August, which applies to the 24th section of the Barbadoes Act. I am fully aware that no discretion is left to the Colonial Legislatures on this point; therefore I am not prepared to advocate the retention of the clause in the Barbadoes Act, against the authority of the Act of Parliament and your declared opinion. I venture merely to refer to the subject in the hope that His Majesty's Government may feel authorized to apply to Parliament for some modification of the law in this particular: and if an authority could be delegated to me, or to persons acting under me, to interfere in cases of this description within my Government, by granting a sort of licence for the permanent or temporary employment of apprenticed labourers being prædials, and either attached or not attached to lands of their owners, (but only, in the former cases, where owners possess two or more estates in one Island), under certain circumstances, and under such conditions as you may deem beneficial to both parties, with power to me to alter or annul the licence as I may think proper,—considerable relief may be afforded to a large class of proprietors, without, as I respectfully submit, interfering with the privileges conferred on apprenticed labourers, or diminishing their hours of relaxation; and the inhabitants within my Government generally will become better reconciled to the measure of emancipation.

I have, &c.
(signed) *Lionel Smith.*

P.S. Since closing my Despatch I have received from the Legislature the original of the Memorial alluded to, which they have requested may accompany the Bill; and though apprehensive I may be guilty of an irregularity in thus transmitting it, I am unwilling, by declining to do so at this moment, to occasion any embarrassment; and I have therefore the honour to enclose it herewith.

(signed) *Lionel Smith.*

Enclosure in No. 79.

Enclosure in No. 79.

A MEMORIAL of the Council and Assembly of Barbadoes, in explanation of a Supplemental Bill to the Act for the Abolition of Slavery, "for the Government of Apprenticed Labourers, and for ascertaining and enforcing the reciprocal Duties between them and their Employers."

THE Council and Assembly of Barbadoes, finding that the emancipation of the slaves had become inevitable, entered upon the task of providing for the safe and successful accomplishment of this object with the most perfect good faith. They knew that the feelings of the nation upon this topic had been wrought up to that pitch of excitement, that nothing short of a full and complete measure could satisfy them. They therefore determined at once to bestow upon the emancipated slave the rights and privileges of freedom on as liberal a scale as was compatible with the situation in which he was to be placed, and with the duties incidental to it.

The Legislature admit that the Act of Parliament is framed in a spirit of fairness, (saving indeed the plan of distributing the compensation fund), and evinces in its general tenor a regard to the interests of the colonial proprietor. But surely it cannot lay claim to that degree of absolute perfection which precludes the possibility of improvement in any of its details. The distinguished statesman who introduced this Bill to Parliament did not regard it in that light: on the contrary, with a reasonable allowance for the advantages of practical experience and local knowledge, and under the conviction that those who are personally implicated in the consequences of a measure, are likely to be the most competent to devise fit means for its successful accomplishment, he invited the Colonial Legislatures to contribute the aid of these advantages to the perfecting of his great work.

Mr. Stanley, in one of his Despatches, says, "It is very far from my wish to seek, in any degree, to fetter the discretion which has been wisely vested by Parliament in the various Colonial Assemblies. Their local knowledge, their practical experience, their intimate acquaintance each with the peculiarities of their respective laws, and with their adaptation to the societies for which they are framed, give them advantages for the prosecution of such an undertaking which cannot be possessed by any Colonial Minister."

With what respectful deference to the wisdom and authority of Parliament this call was responded to by the Barbadoes Legislature, is sufficiently attested by the paucity of the alterations and additions which they ventured to make to the Act of Parliament. Some of the Colonial Legislatures have, it is true, implicitly followed the Imperial Act to the very letter; but in doing so, they have frankly avowed their motive to be, to throw the whole responsibility of this hazardous change upon the Imperial Parliament, from which it emanated.

The Council and Assembly of Barbadoes, on the other hand, conscious that they had no power to escape from the consequences of this measure, thought it their duty to endeavour to render it as innocuous as possible, by adapting some of its provisions more suitably to the circumstances of the Island. Their rule has been simply, to throw in safeguards where dangers not obvious to distant observers did nevertheless cross their path; to supply omissions which practical experience alone could detect, and to endeavour to reconcile conflicting claims, so as to impose upon each party no greater burthen than, from their local knowledge, they were satisfied it was able to bear; convinced that by this means alone could they succeed in making a law which should really and truly be the rule of every man's conduct. One of the most profound thinkers who ever conferred upon mankind the benefit of his wisdom, has taught us that "harsh or unsuitable laws are always impotent: they will be evaded." The Barbadoes Legislature have reason to believe that their provisions for carrying into effect the intention of the Imperial Parliament have been so well adapted to the circumstances of the country and the character of its inhabitants, that the law has been hitherto faithfully obeyed by all parties to whom it relates. It is therefore with feelings of deep disappointment they find that their honest endeavours to co-operate with the Parliament in bringing this mighty experiment to a happy issue, have not succeeded in giving satisfaction to the Colonial Minister. The Legislature nevertheless have entered upon the consideration of the Right honourable Secretary's Despatch of August 12th, conveying his objections to certain parts of the Barbadoes Bill, with the most sincere desire to conform to the opinions of that Minister, to the utmost extent that may appear to them safe or practicable; and they have pleasure in acknowledging that this desire to meet the wishes of the Government has been not a little strengthened by the courteous and conciliatory tone in which they have been expressed.

Taking up the objections in the order in which they are presented in the despatch under consideration, the Legislature have agreed to alter the date of the period from which the occupation of the apprentice is to determine his class, so as to make it coincide with the Act of Parliament.

The introduction of the words "or otherwise engaged in labour or occupation not continuous," in addition to the definition of the prædial class set forth in the Act of Parliament, was merely intended to illustrate more clearly what appeared to the Barbadoes Legislature to be the principle of the classification adopted in that Act, as has been already explained in the Council's answer to the Governor's objections. It was not intended to have the effect of transferring to the prædial class individuals who, under the Act of Parliament, would be entitled to be placed in the non-prædial class; nor can the Barbadoes Legislature

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see how such a consequence is deducible from the phrase in question: nevertheless, in compliance with the desire of the Colonial Secretary, the objectionable words have been struck out.

The Barbadoes Legislature have also expunged that part of the 4th section which sanctions and confirms any transfer that may have been made of a non-prædial to prædial service, for certain offences committed during the 12 months immediately preceding the passing of the bill. It may be proper, however, to remark, in vindication of the Legislature, that this proviso did not place in the hands of the master a power susceptible of the capacious exercise attributed to it by Mr. Secretary Spring Rice. The words of the Act are not "if the employer shall dismiss from domestic service," &c., but "unless such person shall have been dismissed," &c.; thereby merely fixing certain individuals in that situation in which the law found them, and to which they had previously been degraded by their own misconduct.

The Barbadoes Legislature find no difficulty in adopting Mr. Secretary Rice's suggestion in reference to the 33d section. They thought they had given as large a liberty in the choice of a place of worship as words could convey, by the phrase "any church or chapel whatsoever:" however, in deference to the wishes of Mr. Secretary Rice, they have copied the words of the Act of Parliament.

Mr. Secretary Rice thinks that the 108th section of the Barbadoes Act, which gives the right of appeal to the Governor and Council in cases of imputed error, subjects the special justice to a control not contemplated by Parliament. In defence of this enactment, the Legislature beg leave, in addition to the Council's answer to the Governor's objections, to call the attention of the Colonial Secretary to the proviso of the 19th section of the British Act, viz.: "Provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the Supreme Courts of Record or the Superior Courts of Civil or Criminal Justice, in any of the said respective Colonies." The Governor and Council are, both by the King's commission and by a law of the Island, constituted the Supreme Court of Appeal, to which all His Majesty's subjects have a right to go for redress against error in any court of this Colony. However, the Barbadoes Legislature, anxious to evince their willingness to meet the views of the Government, have cancelled this clause; although they continue to think that it is in strict accordance with the Act of Parliament. The powers of the special constable have been limited agreeably to the suggestion of Mr. Secretary Rice; but the Legislature are at a loss to conceive what enactment could meet the views of the Colonial Minister, respecting the necessity of having the domestic prisons inspected and approved by the special magistrate, more completely than that object is effected by the 114th section. In pointing out the imperfection of the 111th and 112th sections, Mr. Secretary Rice says, "All buildings used as places of confinement, however temporary, should have been previously approved of for that purpose, either by the special magistrate or the governor." The 114th section enacts, "That in case such houses of correction shall not be completed and ready for the reception of prisoners on the 1st of August 1834, it shall and may be lawful for the several justices of the peace aforesaid, to inspect the domestic prisons on the respective plantations or estates within their respective districts; and if the same shall appear to be wholesome and proper places for the confinement of offenders against this Act, such special justices are hereby authorized and required, when it shall be necessary to adjudge any apprenticed labourer to confinement, to direct that he or she shall be confined in the prison or place of confinement belonging to the plantation or estate to which such apprenticed labourer shall be attached."

Having thus far adopted all the suggestions of the Minister, although some of them the Legislature must in candour say do not appear to them calculated to prove beneficial to any party, the Council and Assembly trust they have given satisfactory testimony of their anxious wish to satisfy the expectations of His Majesty's Government; and that, should they hesitate to conform to some of the opinions contained in the subsequent part of the Despatch under consideration, their opposition will not be considered contumacious, but attributed to a sincere conviction that the proposed alterations are either impracticable or of a very injurious tendency.

The Barbadoes Legislature have repealed that part of the 12th section which sanctions the conversion of a non-prædial into a prædial apprentice for certain crimes, since such a power, though placed under the control of the special justice, is deemed repugnant to the spirit of the Act of Parliament; but they cannot consent to withhold from the employer the power of removing, through the agency of the special justice, dangerous characters from his household, without at the same time rewarding their crimes with the boon of immediate absolute freedom. Mr. Secretary Spring Rice objects to the hardship of imposing field labour upon a domestic who may not have been accustomed to it. Such a power, to be exercised capriciously, may indeed be objectionable: it is, however, only upon conviction for certain serious offences, that the conversion of a domestic into a field labourer can take place. It is therefore to be regarded as a certain description of punishment; and punishments are in their very nature hardships, and by that means alone become instruments of correction. It happens, however, that most domestics upon plantations have, at some period of their lives, been engaged in prædial labour. The drunken coachman, the dishonest butler, or the more criminal cook, alluded to by the Council in reply to the Governor's objections, no prudent man would think of retaining in his service. How, then, are such offenders to be disposed of, upon being dismissed from domestic occupations? If the employer be not permitted to turn his labour to profitable account, he

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must free him, to be relieved from the burthen of maintaining him; to say nothing of the pernicious influence of such an example constantly before the eyes of the other servants. The Legislature are satisfied that it was not the intention of the British Parliament to make vice the passport to freedom: yet such would be the inevitable consequence of not allowing the employer to transfer a domestic to the field under any circumstances. It must be obvious too, that a few cases of this kind would be sufficient to corrupt almost every domestic servant in the Island. To insist upon the restriction on the master's authority proposed by the Colonial Secretary, would endanger the peace and comfort of every family in the Island.

In commenting upon that part of the Barbadoes law which relates to the regulation of food and clothing, Mr. Secretary Rice declares that he is unable to come to any other conclusion than that they are insufficient, and refers to the enactments of some of the other West India Legislatures in support of this conclusion. He requires particularly an augmentation of the weekly allowance of fish. The Barbadoes Legislature think they have an apology for the scanty allotment of this expensive article, in certain circumstances peculiar to the population of Barbadoes; which, until explained, could not be adequately appreciated by a stranger to the colony. There were in Barbadoes no less than 6,000 owners of slaves; the majority of this number are small proprietors in very indigent circumstances, having neither money nor credit. It is notorious to the members of the Legislature that not only this class of proprietors, but also the owners of the inferior description of plantations, were driven to the greatest straits to procure the customary allowance of fish, which, with very few exceptions, did not exceed 1 lb. weekly; and it was in consideration of the pecuniary embarrassment of such proprietors, and their absolute inability to purchase fish and clothes, that the clause, sanctioning a commutation of these articles for a certain allowance of time, was introduced. To increase this time in a ratio corresponding with the proposed increase of fish and clothes would be ruinous to such proprietors, not leaving them time sufficient for the profitable cultivation of their land. The planters of Barbadoes encouraged the belief that, however imperfect other parts of their system may have been deemed, they had the best evidence of the sufficiency of the food allowed to the labourers, in the rapid increase of that class of the population. Upon this point Barbadoes may not shrink from any comparison that may be instituted with the other West India Islands. To enact that every apprenticed labourer from the almost infant age of 10 years shall receive 2 lbs. of fish weekly, would in fact be a delusion. It would be to make a law with a certain knowledge that it could not be obeyed. An allowance of fish upon the scale proposed by Mr. Secretary Rice would impose an annual burthen of 91,728 *l.* currency for that single article upon that small island, containing 106,000 acres of land of all qualities, of which 76,000 only are under cultivation. The small quantity of salted fish which is given to the negroes is not to be regarded in the light of food necessary to their sustentation, but merely as a condiment to give a zest to their common diet. Besides, the negroes of Barbadoes, with much less time to attend to their own affairs than they now enjoy, have hitherto found means to assist themselves by raising large quantities of poultry, and some pigs and sheep. The market has been almost entirely supplied with these articles by the slaves. They still have the same facilities; the privilege of keeping stock, and gathering grass, &c. from the estate for their support, has not been withdrawn; and will no doubt be continued with the same liberal indulgence, unless such burthens are imposed upon the master for the maintenance of the labourer as will drive him to the necessity of making a bargain for every little indulgence of this kind, to assist in lightening his expenses.

The Barbadoes Legislature are now enabled to appeal to experience in defence of the wisdom and justice of their regulations for carrying into effect the intentions of the British Parliament. Their Act has now been in operation two months, and they have the satisfaction of knowing that those for whose government it was framed, have been more peaceable, more contented, and more constant and regular in the performance of their customary duties than the emancipated slaves in any other Colony in which the same experiment has been going on. In some parts of the Island the negroes have begun to take advantage of the extreme lenity of the law, and cannot be prevailed upon to do a sufficient quantity of work; but not a single case of insubordination, arising from disappointment to their hopes, has occurred in Barbadoes. This fact may, it is hoped, justify the Barbadoes Legislature in entertaining a confident hope that they will not be hastily driven into measures which, being felt to be oppressive, will be evaded, and thus become the source of mutual jealousies and distrusts between employer and labourer. No wise legislator underrates the warning of the sagacious Lord Bacon: "Et magis valebunt in geniorum acumina quam legis auctoritas." Let us not task the cunning of man to defeat the law which he cannot obey.

There is one very important fact, which proves beyond controversy that the present allowances are adequate to the wants of the labourers. They cannot be induced to work on their holidays but for exorbitant wages; they began with demanding 1 *s.* 6¾ *d.*, and to this time they can hardly be induced to accept employment for 1 *s.* 3 *d.* per day, with a full daily ration of food, rum, &c.; the consequence has been that very few indeed are employed on Saturday. Is there any other country in the world (excepting the neighbouring Colonies) where the lowest order of peasants can afford to spend two entire days of every week in absolute idleness? And if the apprenticeship be meant as a preparatory stage for that state of absolute freedom in which these people will become dependent upon voluntary industry for their support, is a system which takes away from them altogether the excitement of want, and supersedes the necessity of industry, the one best calculated to train them to habits suited to their future condition?

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The clothing has been increased agreeably to Mr. Secretary Rice's suggestions.

The legal remedies for securing the regular delivery of food to the apprenticed labourer have been made stricter, in conformity to the opinion of the Right hon. Secretary.

The amendments proposed to the 14th section by the Secretary, it is to be feared, are calculated to produce more mischief than that Minister is aware of: had he known that there are no fences round the fields in this country, and that the cattle, which are very numerous, are almost entirely supported by pasturing, he would scarcely propose to leave the indispensable daily duty of tending the flocks of cattle to the capricious will of persons having no interest in their preservation. It is a service the planters cannot forego even for a day, and they are willing to pay adequate wages for it, so that it be secured to them with certainty. The words of the Imperial Act, though not so explicit as those of the Barbadoes Act, do expressly sanction a violation of one of its great leading principles, in the particular instances there specified, from a consideration of the irresistible necessity of the case. The words are, "neither shall any apprenticed labourer be compellable or compelled to labour on Sundays, except in works of necessity, or in domestic service, or in the protection of property, or in tending of cattle." Seeing then that this Act sanctions compulsory service on Sunday, which is a holy day by higher authority than Parliament, *à fortiori*, a similar coercion on Saturday for similar purposes, cannot but be held consonant with the spirit of the Act. If, however, the Colonial Secretary continues to think this enactment is repugnant to the spirit of the Act of Parliament, the Barbadoes Legislature must be content to leave the cattle and crops in the fields at the mercy of the apprentices, rather than endanger the fate of the Bill.

The 14th, 15th, 58th and 104th sections, have been modified, so as to meet the views of the Colonial Secretary.

There yet remains to be discussed one condemned clause, which involves consequences of a more serious character than perhaps the Minister, for want of local knowledge, has any idea of. Had Mr. Secretary Rice been in a situation to appreciate the magnitude of the mischief which is inseparable from such an amendment as he proposes to the 24th section, he would have felt the necessity of going to Parliament to modify the 9th section of the Act of Parliament, if no other mode remained of averting such a scourge from this country.

The disastrous consequences of prohibiting absolutely the employment of the prædial labourer otherwise than upon the soil to which he is attached are so multifarious, that it will require much detail to explain them.

There are a great number of prædials attached to such a disproportionately small quantity of land, that their labour applied exclusively to the cultivation of that land, would not raise food sufficient for their own support. A case was brought under the consideration of the Legislature, of a widow with six children, who possessed before the 1st of August, 52 slaves attached to 10 acres of land: by hiring the adults to the neighbouring estates when she had no work for them at home, she had obtained the means of supporting and educating her children, and of providing the necessary supplies for her slaves, who had considerably increased under this system. Were this resource denied her, she would at once be thrust from a state of respectable competency into one of utter destitution, and would in fact be much worse off than if she possessed no property at all. She would be made liable to penalties for not furnishing her apprentices with food, fish, clothing and medical attendance, &c. by the same law which deprived her of the only means of procuring these articles. Such injustice as this the British Parliament never contemplated. This is one of a very numerous class.

There are 2,294 owners of land, and only 399 sugar works, in this Island; most of the owners of land who have no sugar works, nevertheless cultivate canes as the only crop that gives a profitable return. These canes are reaped and manufactured by the neighbouring plantations, for a certain share of the crop. It is obvious that this entire class of proprietors, would, by the restrictions insisted upon by the Colonial Secretary, be absolutely interdicted from cultivating the only crop which in this Island gives a profit.

By a very benevolent provision of our law, the owners of land are required to give an annual lease for two acres out of every 60 acres, to some poor man, as a reward for his service in the militia, unless he should prefer to hire and equip one man for the militia for every 30 acres. By this means, houses are provided for most of the poor families in the Island. A great many of these allotments of land have hitherto been cultivated by some neighbour (who owned slaves), for the joint benefit of the parties. Under the proposed regulation, this arrangement of mutual advantage must cease, and the poor tenant must submit to see his land abandoned to weeds and bushes. He has no means to hire labour. Injurious as the restriction here proposed would be to the community at large, it is evident from these cases, that it would press with unmitigated severity and accumulated force upon that class of society which it should be the peculiar care of the Legislature to foster and protect.

There is one point, however, in which it strikes at the general prosperity of the Colony. What is to become of the roads, if the entire class of labourers is absolutely prohibited from being employed upon them? In countries situated within the Tropics the roads are subject to be so frequently torn up by the heavy rains peculiar to these climates, that it requires the constant application of large quantities of labour to keep them even in a reasonable condition. The rejected clause in question made an express provision for the repair of roads by the work of attached prædials, as a matter of paramount importance. If such an appropriation of the labour of this class be interdicted, there being no other possible means of executing this most indispensable work, in a short time the roads would become impassable.

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This restriction upon the employment of prædial labour would throw almost insuperable difficulties in the way of building; a very large majority of the carpenters, and almost all the masons of the Island, are attached prædials. If this class of persons are not permitted to work, except upon the property to which they are attached, how are those persons to build houses who have no carpenters or masons in their service? Are they to build only on Saturdays? And why should not a person owning more than one estate be allowed to avail himself of that circumstance by occasionally combining the resources of the two, if such an arrangement be advantageous to the employer, and not at all injurious to the labourer? There are many proprietors here who have two estates adjoining, the negro villages of which, perhaps, are not a mile asunder: can there be any reasonable objection to working the people of such estates together occasionally, to forward an important job, or what is often the case, to diminish the time at which either gang shall be kept at a particular kind of work more laborious than ordinary?

The 15th section of the Act for altering certain clauses of the Abolition Act, is framed in conformity with the views of His Majesty's Government, as expressed in a Despatch of Lord Ripon, who says, "that the object of it (the enactment in question) was only to prevent anything like an arbitrary removal of the slaves from their domiciles; it was inserted to guard against an abuse which might exist, not which was of frequent occurrence."

And now the question naturally occurs, what are the vast advantages of the proposed regulation, which are to counterbalance the mass of evils inseparable from it?

The object, perhaps, was to provide a good market for that portion of labour which is secured to the prædial for his own benefit. This is not necessary. There will always be a sufficient demand for this labour, especially in the crop season, when the labourer is satisfied to work for such wages as the planters can afford to give; and no artificial contrivances will force them permanently above that standard. If the labourer does not find full employment for his Saturdays, it is not owing to a deficient demand for his labour, but to the absence of that stimulus which alone is found sufficient to overcome the natural indolence of man in a backward state of civilization, especially in hot climates, namely the pressure of want.

In conclusion, the Barbadoes Legislature are deeply sensible of the serious responsibility of their present situation. They know that, small as the share of the compensation fund to be allotted to Barbadoes is likely to be, it will nevertheless furnish the means of rescuing many a planter from impending ruin; and that it is very necessary, even to the more prosperous planter, to enable him to bear up against the augmented expenses and diminished incomes incidental to the new system Nothing, therefore, but a firm conviction of the overpowering mischief of those regulations which they have hesitated to conform to, could have induced them to endanger the claims of the colony to a participation in this fund, by giving the smallest opposition to the wishes of His Majesty's Government. Looking, however, to the number of points which they have conceded in deference to that authority and against conviction, they feel satisfied that His Majesty will put a liberal construction on their motives, and generously ascribe their apparent pertinacity to the confidence of practical experience and more perfect local knowledge.

By order of the Council,
(signed) *J. Beckles*, President.

By order of the House of Assembly,
(signed) *N. Forte*, Speaker.

4 November 1834.

OBSERVATIONS by the Governor on an Act of the Legislature, supplemental to the Act for the Abolition of Slavery.

Clause 3. This clause professes to be remodelled upon the 9th paragraph in the Despatch of the Right hon. the Secretary of State, of the 12th August last, but applies it prospectively to apprenticed labourers, who, in conformity with the regulations of the new clauses, may be placed in the non-prædial class, and does not apply retrospectively to those who, in consequence of the additional definition adverted to in the Despatch, may have been placed in the prædial class, and may desire to remain in it.

Clause 4. The repeal of clause 5 in the original Abolition Act of the Barbadoes Legislature, and the substitution of this clause, have become necessary, in consequence of the books of registration not having been completed by the 1st May following the date of the Act; and the registrar was therefore unable to deliver to the slave proprietors lists or schedules for their slaves, as he was required to do by clause 5 in the original Act, within the period stated, by reason of which the subsequent clauses 6, 7, 8, 9 and 10 of the latter became imperative; and it was therefore difficult for the special justice to settle the question of class, when any dissatisfaction was expressed by the apprenticed labourer. By the introduction of this clause a part of the difficulty is removed, and a very useful section of the Bill will be brought into operation.

Clause 5. Is open to the objections stated in the Despatch of the 12th August, as applying to clauses 14 and 15 of the original Act. It omits to describe the cases of necessity, as required to be done by the King's Government, when a case for departure from the provisions of the Act of Parliament is to be made for their sanction. In a subsequent clause, 11, the cases of necessity are stated.

The objections already raised in the Despatch of the 12th August to the proviso to the 108th clause of the original Bill, do not appear to be obviated in the proviso here substituted.

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The courts referred to are the same as those mentioned in the proviso already objected to, though differently described; and the remarks I have heretofore made on clause 108 may be here renewed.

Clause 8. Is open to a part of the objections already taken in the Despatch to clauses 4 and 12 in the original Act; and I see nothing in the clause, as at present framed, to prevent the conversion of a domestic in the cases stated, into a field labourer, though the term of apprenticeship cannot be prolonged; and the class of prædials must still remain a degraded class, if it is to be even temporarily reinforced by characters of the description stated in the clause.

Clause 9. The 27th clause of the original Act has undergone no very material alteration by this clause. A long preamble has been introduced, referring to the British Act and to the old law of the colony; and the period for making complaints has been extended to 28 days, and the 1st proviso omitted. The scale of allowances remains the same, and the grounds on which the Legislature resist the claim made by the Government in favour of the apprenticed labourers to an increased allowance, are set forth in a memorial from the Council and Assembly, which the agent of the Island is entrusted to deliver to the Right hon. Secretary of State for the Colonies.

Clauses 10 and 11. Appear to have obviated the objections raised to clauses 14, 15 and 31, of the original Act.

Clause 12. The objections raised to clause 58 of the original Act are by this clause proposed to be obviated, by giving a discretion to a special justice to admit any "other reasonable cause" for absence of apprenticed labourers, than that stated, if proved on oath.

Clause 13. Amends clause 103 original Act, in a few immaterial particulars.

Clause 14. This is clause 104 original Act, modified so as to be made applicable only to the relation between employer and apprentice; and the severity of the 1st clause is partially mitigated; but the punishment for a first and second offence is still very heavy.

Clause 15. By this clause the 24th section of the Barbadoes Act has undergone some modification, though the principle cause of the objection to it, as stated in the last paragraph of the Despatch, still exists. The objection is discussed in the memorial of the Council and Assembly, to which I have already made reference.

— No. 80. —

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 10 June 1835. No. 80.

ON receiving from His Majesty the seals of this Department, I have found awaiting His Majesty's decision the Act passed by yourself, with the advice and consent of the Council and Assembly of Barbadoes, in the month of November last, for amending the Slavery Abolition Act of that Island. The importance of that decision to the proprietary body in the Colony is very considerable. If the provisions of this Act should be disapproved by His Majesty, the consequence will be that, until a still further amendment of the original law, it would be impossible to declare that the condition which Parliament has annexed to a participation in the compensation fund has been performed by the Legislature of Barbadoes.

It is almost superfluous to remark that His Majesty, acting with the advice of His Privy Council, cannot sanction any provision repugnant to any part of the Act of Parliament for the Abolition of Slavery. It is not merely the general principle of the law and the constitution of the British empire, but the express language of that particular statute, which declares any colonial enactment "null, void and of no effect," which is at variance with what the Imperial Legislature has prescribed. In the present case this difficulty is presented in the strongest possible form, since the Act is suspended for the signification of His Majesty's pleasure; and if any such repugnancy exists, His Majesty must either refuse His assent, or become directly and actively engaged in enacting, on the advice of His Privy Council, provisions at variance with those which His Majesty has already enacted, with the advice and consent of the Lords and Commons of the United Kingdom.

Having undertaken the review of this Act of Assembly, under the influence of the considerations to which I have thus adverted, I proceed to communicate to you, for the information of the Council and Assembly of Barbadoes, the conclusions which I have been led to adopt. The joint memorial from those bodies, referred to in your Despatch of the 5th November, has of course engaged my careful attention, as well as the remarks contained in that Despatch and in its enclosure.

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First: On the subject of the conversion of non-prædial into prædial apprentices, a considerable advance has been made to obviate the objections raised by Mr. Spring Rice to the original Act. The special justice may indeed still adjudge the non-prædial to that change of condition as a punishment, but may not order the prolongation of the original term of apprenticeship.

One serious objection to the existence of any such authority is therefore removed: I fear, however, that the insuperable difficulty yet remains, that any conversion of this nature from one class to another is inconsistent with the Act of Parliament. It is urged that the British statute, so understood, involves consequences which it would be impossible to ascribe to the Imperial Legislature without impeaching their justice. If a criminal domestic servant may not be banished from the house to the field, one of two results is said to be inevitable; either the employer must retain in his domestic service persons unworthy of the trust which such an occupation supposes, or he must reward with an immediate discharge from apprenticeship the misconduct of his servants, to the utter ruin of all good discipline and virtuous character amongst that class of society. To this objection it may first be answered, that if well founded it must apply to every other Colony at least as forcibly as to Barbadoes, and yet that nowhere else has any such difficulty occurred or been suggested. Further, from the supposed dilemma there is an obvious, and as I should conceive, a complete escape. A domestic servant habitually misconducting himself may be subjected to many severe and effectual penalties, without any change of the class to which he belongs. He may be, for example, degraded to some other non-prædial occupation, either in the service of his original employer or of some other person, more irksome and onerous than that of which he has failed to perform the duties. Although not transferred into the field, he might be set to works of other descriptions, compared with which field labour would be a desirable occupation. Thus, by a simple exercise of domestic authority, ample resources for punishment might be found, without infringing the rule established by Parliament. That rule, however, is binding on His Majesty in Council, nor can His Majesty be advised to confirm the Act under consideration, departing as it does in this instance from the parliamentary rule.

Secondly: The Council and Assembly of Barbadoes adhere to the terms of their original law respecting the food to be allowed apprenticed labourers in that Island.

I am fully disposed to give due weight to the statements made respecting the sufficiency of the provisions allowed for the maintenance of prædial labourers in Barbadoes, and I am happy to believe that they are distinguished for their contentment and good conduct. When, however, I compare the rations allowed to them with those which are provided by the law of other Colonies, and remember that the 45 weekly hours are secured to the employer in Barbadoes as strictly as in any other Island, the inference is irresistible, that the Barbadian apprentice is compelled to encroach largely on his own leisure, in order to procure his daily food. It is impossible that his wants should be materially less than those of persons in the same condition of life with himself, in the adjacent British settlements. Unless the law of those Colonies has made an extravagant provision for the apprentices, the provision made by the law of Barbadoes must be deficient, and the leisure time of the apprentice there must be consumed in working for his own subsistence. Now the Act of Parliament plainly proceeds upon the principle that, in return for the 45 hours of weekly labour the labourer is to receive adequate maintenance, and that all the remaining hours of the week are to be at his own absolute disposal, for industrious exertion, or for repose, as his inclination may dictate.

It is not necessary for me on the present occasion to vindicate or to inquire into the propriety of the rule to which I have thus referred. It is enough that I find it plainly laid down in the British statute. It is not a matter of choice but of necessity to call upon the Legislature of Barbadoes to fulfil the condition upon which their participation in the compensation fund has been declared by Parliament to depend.

I am not disposed to controvert what is said respecting the inability of many of the poorer inhabitants of Barbadoes to afford those allowances for which Mr. Spring Rice called; but the poorest can afford to their apprentices such a remission from the 45 hours of weekly labour as may enable them to earn their own food. The extreme case may indeed be supposed, in which the labours of the

the whole of that time would be necessary for the purpose. I do not believe the possibility of such an occurrence, except under some circumstances of great peculiarity. If however such a case should arise, the consequence must be frankly admitted, that the right reserved by Parliament to the employer would be without value; a consequence which, however distressing in some particular instances, would not prove that the general stipulation made by Parliament for the benefit of the apprenticed labourers could be properly or lawfully waived.

Thirdly: Mr. Spring Rice objected to compelling watchmen and persons employed in tending cattle to work more than 45 hours weekly. The Council and Assembly however adhere to that rule, declaring that such labour is necessary, and that Parliament have admitted the plea of necessity in another case, that of Sunday labour, as overruling the general prohibition. There can of course be no dispute that all necessary works must be done, whether on Sunday or on any other day of the week. The question only is, by what means must such exigencies be met? It is necessary that the cattle in the fields should be watched, perhaps for the whole 24 hours continuously; but it is not therefore necessary that any one man should perform 24 hours of continuous labour, or more than 45 hours of labour in the week. The watchman having served his time may be relieved by others taking his place and succeeding to his duty, or his extra services may be obtained by agreement between him and his employer, for adequate wages. The Sunday labour authorized by Parliament for the tending of cattle is an exception from the rule forbidding all work on that day, and not an exception from the rule prohibiting more than 45 hours compulsory labour in the week. Here again, therefore, I am compelled to renew Mr. Spring Rice's demand for a revision of the first Act of Assembly.

Fourthly: Great importance is attached by the Council and Assembly of Barbadoes to the rule laid down in their original law, and to which in opposition to Mr. Spring Rice's instructions to yourself they adhere, of admitting the prædial apprentices attached to particular estates to be hired out for temporary service on other properties. The conflict of their enactment with the British statute is scarcely denied. They impute, however, to that statute certain consequences which I apprehend cannot be legitimately ascribed to it. Thus it is said that the parliamentary rule would forbid the prædial apprentices to work on the public roads, or in cases where there was no mill on the estate, to manufacture the sugar grown there at the works of an adjacent plantation. Such, however, I apprehend, is not the effect of the Act of Parliament. The repair of the roads is a service due by the plantation to the public: the manufacturing of the crops is a part of the duties of the plantation itself. The precise localities in which that service and those duties are rendered, is not the subject of the parliamentary prohibition. Nothing more was or could be meant, than that the apprentices attached to an estate should be liable to no works but those incident to the plantation to which they belonged. The other illustrations which the Assembly have given of the inconvenience of the parliamentary rule, really illustrate only the mischiefs which must follow from registering prædial apprentices as attached, who ought to have been registered as unattached to the soil. For errors of that kind, the proprietors making the registries, and not the Legislature, are responsible. I am, therefore, under the necessity of repeating my predecessor's declaration, that this enactment, being repugnant to the Act of Parliament, cannot be sanctioned by His Majesty in Council, but must be repealed before it can be declared that the parliamentary conditions, on which depends the right to participate in the fund, have been fulfilled.

So far as the Legislature of Barbadoes professed to adopt and execute the views explained in Mr. Spring Rice's Despatch, they appear to have done so with sufficient accuracy, with one exception. The object of the 5th section is to relax, in cases of necessity, the rule which forbids the employment of the apprenticed labourers on a Sunday. The 11th section relaxes, on the same ground, the rule forbidding their employment for more than 45 hours weekly. In the first case, the word "necessity" is unaccompanied by any explanation; in the second, it is connected with the following explanatory terms, "such as fire, tempest, and occurrences of a similar nature." Now, this variety of style, by whatever cause it may really have been occasioned, will be understood by the interpreter of the law as indicating some corresponding variation of meaning. It will be assumed, and not without apparent cause, that the word "necessity"

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is used in the first passage in a much more lax and general sense than in the second.

The demand made by Mr. Spring Rice for an explanation of the precise object of this ambiguous expression, has thus in effect led to the use of words of still greater ambiguity. It is necessary that in both cases the same words should be used to illustrate the general term "necessity." This remark, I need scarcely say, is not of itself of sufficient importance to raise any obstacle to issuing the necessary Order in Council in favour of the Colony; but the other objections to which I have called your attention, appear to me of too much weight to be waived, however much I may regret the necessity of insisting upon them. That regret, however, is diminished by the reflection that the period for the distribution of the fund cannot probably arrive until late in the ensuing autumn; before which it will be in the power of the Council and Assembly, by making the amendments to which I have called their attention, to relieve their constituents from any inconvenience which might be occasioned by a postponement of the distribution of that part of the fund to which they will be entitled.

I have, &c.
(signed) *Glenelg.*

— No. 81. —

Copy of a DESPATCH from Governor Sir *Lionel Smith* to the Secretary of State.

Sir, Government House, Barbadoes, 3 January 1835.

No. 81. I HAVE great pleasure in reporting general tranquillity and industry amongst the apprenticed population of the Windward Islands.

In this Island, I regret to say, we are suffering under severe drought, which has greatly injured the sugar crop, and destroyed a great quantity of provisions for the negroes; so that I apprehend great scarcity and distress in the current year.

I have, &c.
(signed) *Lionel Smith.*

— No. 82. —

Copy of a DESPATCH from Governor Sir *Lionel Smith* to the Secretary of State for the Colonies.

Sir, Government House, Barbadoes, 30 January 1835.

No. 82. I HAVE much satisfaction in reporting the continuance of tranquillity and industry throughout the Windward Government.

Some seasonable rains have lately fallen; but much more is still required to ensure the provision crops against the effects of the drought under which we have been suffering.

I have, &c.
(signed) *Lionel Smith.*

— No. 83. —

Copy of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith.*

Sir, Colonial Office, 4 March 1835.

No. 83. I HAVE received your Despatch of the 30th January, and it affords me much satisfaction to learn that tranquillity and industry continued to prevail at the date of your Despatch throughout the Windward Government.

I have, &c.
(signed) *Aberdeen.*

— No. 84. —

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No. 84.

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen*, dated Government House, Barbadoes, 28 March 1835.

I TRUST I shall stand excused with your Lordship, that I have not been able to furnish your Lordship's office with any regular replies to your circular of the 30th September, respecting the productive industry of the negro population, which may apply to this Island, when they become free; and that of the 17th October, respecting emigration to the Colonies from European countries. Both subjects were laid before Council, with a request from me that a committee of both branches of the Legislature should report upon them, which they promised to do.

— No. 85. —

No. 85.

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen*, dated Government House, Barbadoes, 28 April 1835.

IN transmitting the enclosed letter from the House of Assembly of Barbadoes to your Lordship, agreeably to their request, I feel it necessary to state to you, previously to making any observations upon it, my reason for complying with the demand of the writers.

Enclosure, No. 1, 31 March 1835.

Constitutionally speaking, I believe this proceeding to be irregular; I therefore notified to them that I would on this occasion comply with their request, but that my doing so was not to furnish a precedent for such an irregular proceeding at any future time.

The subjects discussed in it are very numerous, and a proposition is advanced of a novel and striking character; namely, that the Houses of Assembly in the West Indies ought to be unlike the House of Commons in England, and the Assembly-men ought to have powers analogous to those exercised by the responsible Ministers of the Crown, that is, as I presume, to preside over every department of the executive Government; thus, as your Lordship has observed, transferring to themselves all the powers of the State. Upon this assumed difference, they claim to be allowed to administer not only their own laws, but to be entrusted with the charge of carrying out the Parliamentary measures of abolition, free from all responsibility to the executive Government.

The letter is to be viewed, firstly, as a defence of the legislative measures which your Lordship has condemned; and secondly, as containing an indirect attack upon my government; concluding with a sort of appeal to your Lordship against my disallowance of two Acts of the Legislature, intended to supply the place of the Rural Police Act, which your Lordship had advised His Majesty to disallow.

It is stated that the free black and coloured population are in general indifferent on the question of their right to be placed on an equal footing with the other class of their fellow-subjects in the enjoyment of the elective franchise; and that "the subject is made one of agitation, not so much by the parties themselves who are immediately interested, as by their most indiscreet and injudicious friends." Who these friends are, or are supposed to be, does not appear; and I venture to suggest to your Lordship that it is unbecoming a representative body to convey charges of this import in so ambiguous a shape, especially as they must know that no such agitation exists. The resolutions and petition to the King from that body, (drawn up immediately after the Legislature had published your Lordship's Despatch,) which I have the honour to forward by this opportunity, sufficiently negative a part of this charge. The petition has been in contemplation some time; but I do not think the resolutions would have been passed if the House of Assembly had not provoked the discussion by their allusion to this class, in their letter to your Lordship.

The answer contained in the sixth paragraph to the objection that the Town Police Act renders the consent of the Council necessary on the appointment of

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the town magistrates, assumes that the members of Council have kept within their line of duty when the eligibility of persons for the situation of magistrates was the subject of discussion. Had these gentlemen been satisfied with advising me merely on this point, I should have had no objection to receive their co-operation ; but on the appointment of the Bridge Town magistrates they assumed the right of nominating two magistrates in spite of me, by putting the appointment to the vote, and carrying them against me. It is remarkable that the House of Assembly should choose to make their stand against your Lordship upon this part of the Despatch. They admit that the Council derive their authority on the appointment of a magistrate from the Crown, and almost at the same instant deny, or at least attempt to controvert, the right of the Crown to take it away.

In the seventh paragraph your Lordship has some evidence of the struggle I had with the Legislature at a very critical period to maintain the just prerogative of the Crown, and you learn that the authority to dismiss a Bridge Town magistrate was all I could procure ; an authority which your Lordship observes the House of Assembly are very ready to admit the Council to share with me, in order, I suppose, that the same form on a dismissal of a magistrate may be enacted as took place on the appointment of the Bridge Town magistrates.

The ninth and eight following paragraphs contain the opinion of the House of Assembly upon your Lordship's reasons for recommending to His Majesty the disallowance of the Rural Police Bill. It appears that your Lordship has been unsuccessful in the attempt to convince them of the erroneous principle on which they had proceeded in framing their Bill ; and they contend that it was an extremely judicious measure, because, as they say, "it was found to be most salutary in its effects, and that any check to its operation, any change in its working, is at least of doubtful policy ; but any modification which will render it less efficient cannot but be productive of the most disastrous results." Thus it is attempted to answer your Lordship's weighty objections to the principle of the Bill, by striving to create alarms which are absolutely groundless. I cannot believe this body serious when they resist your Lordship's suggestions, upon the feeble pretext that because the Assembly-men, by local laws passed for local purposes, are invested with authority to act as commissioners of public accounts and public buildings, they have a right to claim to participate in the authority to be created by the Island law for carrying into operation the laws consequent upon the abolition of slavery. Their supposed interest in the due administration of the Island finances, and in the other matters in respect of which they are constituted local commissioners, might well be assumed as the reason for their being selected as commissioners for the purposes stated in this part of the letter ; but the application of the principle of interest cannot avail these gentlemen in the present instance.

Another ground on which they justify their measure of rural police, is its near affinity to the Bill recommended by Mr. (now Lord) Stanley, in the model draft sent out to the Colonies. It will be for your Lordship to say to what extent this affinity is preserved. If the first chapter of the model draft contains, as Lord Stanley states it does, the development of the Jamaica scheme of police, no two measures can be more dissimilar. One, the Rural Police Bill of Barbadoes, places all control over the police establishment in the Council and the House of Assembly ; and the other vests all power in the executive Government. The first chapter of the model draft, as the later document, may be looked upon as marking out the particular parts in which it was expected that the Island measures of police should differ from the Jamaica Bill ; a course which became necessary, in consequence of the alteration which had taken place in colonial society since the Jamaica Bill passed ; but that in all other respects His Majesty's Government would be satisfied if the Jamaica Act was followed. The whole reference clearly regarded schemes and details, not principles ; because it is evident a Slave Act passed in 1831 could not apply to apprenticeship in 1834.

Happily for the prosperity of the Island, we have enjoyed undisturbed peace since the great measure of emancipation came into operation ; but I do not ascribe it to the operation of the rejected Bill ; and the Enclosures, Nos. 2 & 3, will show to your Lordship that much of the mischief which you anticipated from the measure actually did occur. It would have been singular if, on entering into their state of modified freedom, the apprenticed labourers had in general displayed

Enclosure, No. 2.
Enclosure, No. 3.

displayed any insurrectionary movement. They had everything to hope from a passive obedience to the law. Their minds may reasonably be supposed to have predisposed them to accept the proffered boon thankfully and quietly; and their transition was most orderly accomplished: in the same quiet state they have remained. Your Lordship will learn with surprise, that although we have been for four weeks without any Rural Police Act, the business of the estates has progressed as usual, and the general peace has not been anywhere disturbed. But I beg to state to your Lordship, that if the commissioners of rural police had retained their authority, there would have been an end to the subordination of the labourers. They were beginning to find out that they had only exchanged one servile condition, for another equally oppressive; and the cat, either by the connivance or by the order of the commissioners, was in active use at the station houses, upon male and female offenders. Fettered as I was, I exercised some authority, and have done all I could to put it down; but its use would have been continued, if I had no authority over the police. I need, therefore, scarcely state to your Lordship, that I am at issue with the House of Assembly as to the effects produced by the Rural Police Bill being salutary.

I proceed now to notice the concluding part of the 17th paragraph, which contains the attack of the Assembly upon the measures of my administration in disallowing the two Acts of the Legislature to which they refer. As these Acts accompany the letter, your Lordship will readily discover that as a whole measure, their provisions were open to the objections made by your Lordship to the first Bill. I looked upon the Bill for placing the police force under the direction and at the disposal of the special Justices, as an attempt to place me in a situation of difficulty. I was either to admit, by assenting to the Bill, that the special Justices were better qualified than myself to direct and control the police; that the jealousy manifested to the measure, of His Majesty's authority as exercised by me, was well founded, and that all that your Lordship has said in vindication of the just rights of the executive Government was speculative: or I was, by dissenting to the Bill, to run the risk of putting the tranquillity of the Island in some jeopardy. I did not hesitate long as to the course I ought to follow. I had great confidence in my personal influence over the mass of the population, and the latter consequence I might be prepared for; but as, by assenting to the Bill, I should compromise the just and constitutional principle advocated by your Lordship, I at once dissented to it.

The other Bill which is forwarded to your Lordship, is in substance nearly the same as the one disallowed by your Lordship; and was open to nearly all the objections stated to the latter by you. I was required by it to appoint a person to fill an office, on whom larger powers were conferred than I enjoyed myself. I therefore disallowed this Bill also; and we remained without any Rural Police Bill to the 24th instant. The Legislature, however, finding that I was firm to my purpose of steadily adhering to your Lordship's instructions, after passing another Bill, which I rejected, at last abandoned the extraordinary position they had taken, and passed a temporary Act for six months, to keep the police force together, until your Lordship's answer is received to the letter addressed to you; but in this Act the control over the police force is expressly vested in me. To this Act I have assented, though for so short a period; and I am satisfied, that although I deviate on this occasion from my instructions by so doing, your Lordship will readily understand my reasons.

Enclosure, No. 4.

Enclosure, No. 5.

Printed with the Colonial Laws in Appendix (B.) No. 12.

Enclosure 1, in No. 85.

THE Right Hon. The Earl of Aberdeen, &c. &c. &c.

The respectful Address of the House of Assembly of the Island of Barbadoes.

My Lord,

THE House of Assembly of Barbadoes having received from his Excellency the Governor a copy of your Lordship's Despatch dated 10th January 1835, deem it a duty they owe no less to your Lordship than to themselves, respectfully to solicit your attention to the following explanation of the several Acts which are the subjects of your Lordship's comments in the Despatch alluded to.

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They are aware of the high responsibility and delicate nature of the duties which necessarily devolved on your Lordship on accepting the office of Colonial Secretary; and while they have the firmest reliance on your wish and determination to promote the interests of the West India Colonies, derived from their knowledge of your Lordship's public character, they trust you will give them credit for an anxious and sincere desire to act with perfect good faith, and on all occasions to adopt that line of conduct which will tend least to embarrass your Lordship's measures, and best secure the peace and prosperity of the community at this momentous crisis.

The Police Acts deservedly claim your Lordship's earliest notice. It appears that "it has been objected to the Bridge Town Police Bill, that the effect of it will be to perpetuate indirectly, and in fact, one of those invidious distinctions referable to European and African origin, which by the mere text of the general law are abolished." It is evident, and indeed is candidly stated, that this is not the objection of your Lordship; for not only is it quite impossible to discover any grounds for it in the enactments of the Bill, but it could not have been made by any one who had any knowledge of the real state of the law and the circumstances bearing on the point. It is also quite new to this House. The law by which the elective franchise was granted to persons of African descent does not increase the qualification for such voters only: it provides that all persons who shall hereafter become freeholders in towns must possess the increased qualifications, but it leaves the qualifications of the then existing freeholders untouched. Thus, while a right to vote cannot since the passing of that Act be acquired by any person of any class or colour, except by virtue of the higher qualification, the right to vote at the low qualification will cease either on the transfer of the property or with the death of its possessors at the period of the passing of the law, and these are but few in number. The operation therefore of that law is to equalize, at no distant day, the elective franchise; and as this can be in no way impeded by the Town Police Act, this result must be the gradual but certain effect of time.

See Appendix, A. p. 97.

In the appointment of policemen under the Bill, the vestry appropriated one-third of the number exclusively to persons of African descent. The present number in office exceeds that proportion; and as all the men are on a footing of perfect equality, the mode of giving effect to the Act cannot be said to tend to "perpetuate those distinctions." The objection therefore does not arise from the provisions of the Bill; it is wholly foreign to its object and spirit; and could any ground for it have been inferred from the "text" of the law, the actual working of it would have satisfactorily contradicted such an inference.

But the House of Assembly cannot fail to rejoice that it has been made; not only because it has elicited from your Lordship such sound sentiments as must finally set at rest a question which has been mischievously made the subject of agitation in our little community, not so much by the parties themselves who are immediately interested, as by their most indiscreet and injudicious "friends;" but also because they have the satisfaction of finding that the views and opinions of this House on the subject are sanctioned by your Lordship's high authority.

It has next been objected that this "Act renders the consent of the Council of Barbadoes necessary on the appointment of the magistrates for the city of Bridge Town." The appointment of all magistrates has been uniformly and invariably made by Governors in Council; the concurrence of this body is not now for the first time made necessary to such appointments, nor is there any previous instance in which such a power has been claimed by a Governor alone. It is not in their legislative capacity that the members of Council are called on to concur in the selection of magistrates, but by virtue of their office, and under the sanction of their oaths as privy councillors. Nor can this be considered an extraordinary or unconstitutional privilege, or any encroachment on the just prerogatives of the Crown. This is proved by a reference to the English statute book. By the 2d Henry 5, it is enacted that justices of the peace shall from thenceforth be made of the most sufficient persons, "by the advice of the Chancellor and of the King's Council." It is therefore in effect on the responsibility of the King's Ministers that magistrates are appointed in the mother country. Again, the same authority shows that justices of the peace for particular places, with salaries, are sometimes appointed by the King in Council; for by the 53d Geo. 3, c. 72, His Majesty may, with the advice of his Chancellor and Council, appoint a barrister to execute the office of a justice of the peace in the county palatine of Lancaster, and he shall be entitled to a salary. The members of the Privy Council of Barbadoes, who are appointed on the sole recommendation of the Governor, have always been, and are, his constitutional advisers; they are bound to inform him of the fittest persons to be put into the commission of the peace, and are considered as responsible to the public for such appointments. Nay, so necessary and regular a part of their duty is this, that it forms one of the standing instructions of the King to his Governors, that they shall not appoint any one to the office of magistrate or judge, without the advice and consent of the Council. If, therefore, the Bill had vested the appointment of these magistrates in the Governor alone, his Excellency would have disobeyed his instructions in sanctioning it. The House of Assembly consider this to be the most important duty of the Privy Council; they have always looked to it as the best guarantee for the respectability and propriety of such appointments. Without such a body of gentlemen to make these recommendations, every Governor would be liable to be imposed on by designing or interested persons, since it is impossible that he could have of himself sufficient knowledge of the character and fitness of individuals for the magistracy. And as they never can consent to pass an Act which would not only be an infringement on this ancient and valuable privilege, and an innovation on the constitution of the country, but be also in direct opposition to the King's

King's instructions, they feel confident that in the light in which the objection is now put, your Lordship will not consider it any longer of importance.

Your Lordship considers the clause further objectionable, because, although the concurrence of the Board be required on the appointment, yet "the dismission of a magistrate is to be the act of the Governor alone." The only remark to be made on this is, that the power to dismiss these magistrates by the Governor alone was not in the Bill as originally introduced; it was added because the House understood the Governor wished that it should be inserted. The House, however, should your Lordship desire it, will readily concur in putting the dismissal of magistrates on the same footing, with regard to the responsibility to be borne by the Council, as they have shown is proper and legal with respect to their appointment.

The last objection is, that "the effect of the interposition of the Council in the choice of the city magistrates, may be to transfer from the Governor to them the selection of the persons who are to exercise the duties of the special magistrates in Bridge Town." With great deference to your Lordship's opinion, the House of Assembly respectfully submit that such an effect cannot possibly arise. The Act for the Abolition of Slavery in Barbadoes not only defines the offences and obligations between apprenticed labourers and their employers, but by its 108th clause expressly declares that the special justices of the peace shall have sole and exclusive jurisdiction in all such cases. There is nothing in the Bridge Town Police Act which can alter or affect this clause, so as to take from the special justices of the peace the exclusive cognizance vested in them by the former Act; nor have the police magistrates ever supposed that they could entertain such cases. The House of Assembly beg to assure your Lordship, that they never intended or supposed the Act capable of such a construction; and they are most anxious to disavow all intention to interfere with the powers of the special justices under the Abolition Act, because such a design would be a breach of good faith on their part. But in order to obviate all doubts on the point, they will readily add a clause to prevent the construction of which it has been supposed capable, should your Lordship deem it necessary after this explanation.

Appendix, B. p. 97.

With respect to the Rural Police Bill, the House deeply regret that your Lordship should have felt it your duty to recommend its disallowance to His Majesty. It is an Act of the most vital importance to the safety of the Island; to its operation we are mainly indebted for that state of peace and quietness, almost peculiar to this Colony, which accompanied the greatest change founded on the boldest experiment that was ever deliberately made in the relations of society; to it we may attribute that continuance of industry and steady work among our labouring population, which by the most experienced was deemed well nigh hopeless. Any check to its operation, any change in its working, is at the least, therefore, of doubtful policy; but any modification which will render it less efficient cannot but be productive of the most disastrous results. Having premised thus much, it will perhaps be found convenient to offer our chief explanations on this important Act under two distinct heads, as best corresponding with your Lordship's main objections to it. We will first consider such as apply to the powers vested in the commissioners merely as members of Assembly; and secondly, such as are vested in them as commissioners of police.

1st. With regard to the powers vested in the commissioners as members of Assembly, they are ready to admit the full force of your Lordship's "general" remarks, as applicable to the British constitution. They trust, however, your Lordship will pardon them when they express their conviction that they do not strictly apply to Barbadoes. It has never been the policy of Great Britain to demand from her Colonies that they should frame their constitutions exactly on the model of her own. This is sufficiently apparent with respect to some of the Crown Colonies. In fact, the British constitution, the wisest which has ever been formed for the government of a mighty and independent nation, is too comprehensive in its outline and too complicated in its details to be adapted in all its parts to a colony; and it will on examination be found that the constitutions of those Colonies which, like that of Barbadoes, are professedly framed after that of the mother country, are subject to material modifications; and that the trusts which have always been and must of necessity continue to be reposed in the Houses of Assembly, differ from those which are exercised by the House of Commons, as such duties are performed in the mother country by the responsible Ministers of the Crown. The House of Assembly are aware that they should apologize to your Lordship for making these remarks; but they are necessary to a right view of a most important subject, and they trust that your Lordship will not consider them as indicating any desire to innovate on the constitution of the Colony, or as evincing a want of respect and attachment for those sacred institutions of the mother country on the stability and maintenance of which they know their own happiness and prosperity depend.

The appointment of members of the Council and House of Assembly as commissioners for conducting the public business, does not originate with the present Bill, but is of very ancient date, almost coeval with the existence of those bodies; and the most important functions have been invariably performed by commissioners thus selected. In the year 1707, five members of Council and six of the Assembly were by name appointed by an Act of the Legislature a "Committee of Public Accounts," and invested with extensive powers, without being called on to give any security for their performance, save that which their station and character guaranteed. And although the objections to such a body made by your Lordship would appear at first sight and in theory entitled to great consideration, the experience of more than a century has proved that in practice the public resources under the care of such commissioners have not been "wasted." There are also various other Boards of Commissioners. The Commissioners of Fortifications, also appointed from the same bodies

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by an Act of the Legislature in 1715, were invested with large powers over the public purse, and entrusted with most important duties, which ceased only with the past year: the Commissioners for conducting the affairs of the Molehead, similarly chosen and appointed, and invested with even greater powers; the Town Hall Committee, and several others. In short, the whole public business of the Colony has been conducted by Boards of Commissioners so selected and constituted; and none but the best and most economical results have ensued to the public, nor has there ever been a single charge of that "abuse of patronage" which your Lordship anticipates as likely to be "habitual."

A comparison of the expenditure and population of Barbadoes with those of Trinidad and Demerara, will perhaps satisfactorily show which system offers the best security for economy in the public departments, and at the same time best promotes the prosperity of the inhabitants.

The House of Assembly, while they confidently rely on your Lordship's reconsideration of these objections, must most respectfully state that they never can consent to relinquish that check and control over the public purse, or to alter the old, constitutional and economical mode of transacting the public business, which the system objected to practically affords; for although the method so long in use may be open to objections in theory, they know of none other which in a colony gives so efficient a control over its resources, or so good a security against the abuses contemplated by your Lordship, as that under which they have so long lived and prospered.

2d. With respect to your Lordship's objections to the powers which are vested in certain of the members of the House of Assembly, as commissioners of rural police; although there is much in them to which this House cannot assent, they are free to admit that the Bill does give too exclusive a power to the commissioners. It is but justice to themselves to state, that it was not introduced into the House in the shape in which it finally passed. Their reasons for thus altering it in its progress, and the grounds on which those reasons could be defended, are to be found in some circumstances immediately preceding and attending its enactment. But as an inquiry into these might only revive angry feelings, and could not now lead to any good practical result, the House abstain from going into that vindication of their motives which they are confident would amply justify their conduct, in your Lordship's opinion. It is to them a pleasing duty, and much more congenial to their feelings, at once to declare their intention to remove these objections, by passing an Act for the government of the rural police which cannot fail to meet your Lordship's approbation, as it is in strict conformity in its principles, and as nearly so in its details, as local circumstances will permit, with the Jamaica Police Act, which was recommended to the Colonial Legislatures as a fit model, by Lord Goderich and Mr. Secretary Stanley: the former declaring, in "a compendium of the arguments" by which his measures for the Abolition of Slavery were explained and justified, "that it was recommended by the consideration that it was a plan, not of English but of Colonial origin, and is almost entirely borrowed from an Act passed by the Legislature of Jamaica in their session of 1831;" and the latter, after stating his conviction that "an efficient police establishment is of the very essence of the whole measure," added, "to devise a scheme of police for a remote country might seem a hopeless enterprize, but for the assistance to be derived from the Jamaica Police Act of 1831, which was a measure devised by the highest of all the local authorities. In favour of that scheme may, therefore, be repeated all those arguments which are verbally employed to establish the superiority of Colonial to English Legislation on Colonial affairs. Independently of that consideration, the scheme itself appears to offer every promise of efficiency and economy." The House has, therefore, lost no time in endeavouring to supply the place of their former Act by a Bill framed on the model so highly recommended; and as the police force is by it placed, in conformity with your Lordship's wishes, under "the effective and constitutional control of the Governor," they confidently anticipate your Lordship's early approval of it; and they trust the Colony will not again incur the dangers to which it is necessarily exposed, without a well-organized, effective and legally protected body of rural police.

The House of Assembly cannot close their observations on these important heads, without assuring your Lordship that the conduct of the commissioners, as it appears on the minutes of their proceedings, evinces a sincere desire faithfully to co-operate in carrying the new system into effect, and to assist the special justices in the execution of the arduous task assigned them. They seem to have considered them as in truth the persons to whom, in the language of Mr. Stanley, "the execution of the new law is expressly confided by Parliament." It appears that one of their first acts as a board was to invite these gentlemen to a conference, and to solicit their advice and assistance in framing the rules and regulations for the government and discipline of the rural police; and when some alterations in the working of the system were subsequently proposed, they were not decided on without again consulting with the special magistrates. Nor has the House any reason to regret the conduct of the Board towards these gentlemen, being satisfied that the confidence shown in them has been received as an honourable proof of good faith on their part; and that its moral effect on the minds of the apprenticed labourers has tended to promote among them as a body, the orderly and peaceable conduct which they have maintained while under the influence of most exciting changes.

Your Lordship has also made some "particular" objections to the details of the plan as laid down by this Bill. In the first place, your Lordship considers the provisions made respecting "the labour of persons condemned to the public works," and "prison discipline," the "appointment and removal for misconduct of the keepers of the houses of correction, have no

necessary

necessary or proper connection with the main object of the law." In any other system than the one which it is the primary object of the Rural Police Bill to establish and maintain, such "Heads of Legislation" would certainly be foreign to the main enactments of the law in question; but when it is remembered that these subjects are introduced as forming an essential part of this particular system of police; that in the Orders in Council passed for the government of the Crown Colonies, and sent to those having Legislatures, as best showing the views of the then existing Government on the question, they are all included under the head of "police;" and that the object of so classing them is to place as much as possible the punishment of the apprenticed labourers under the immediate superintendence of the special justices; the House of Assembly are inclined to think that your Lordship will no longer deem them foreign to the enactments of a Rural Police Bill, but rather as a necessary part of that police system which, in your own language, is "to give effect to the law for the Abolition of Slavery." But as this cannot be said of the enactments contained in the clauses numbered from 13 to 18, they are, in deference to your Lordship's opinion, omitted in the new Bill, and will form the subject of a separate Act; because it is intended that this police shall not only secure the well working of the new system, but be also instrumental in promoting the legitimate objects of a police force, viz. the prevention of crime and suppression of vice. They cannot either admit that they are wholly "foreign to the scope of a police bill," and "in no way indicated by its title," because they are for the most part taken from the last Act for the regulation of the London Police, 3 & 4 Will 4, c. 19.

2d. Your Lordship objects that the power to purchase land is given to the commissioners and their successors, and that they are not to be bought in the name of the King. In this respect the House of Assembly have only followed their own former precedents, copied from Acts of the Imperial Parliament; but they apprehend that lands for such purposes are never purchased in the name of the King; and for this obvious reason, that the King cannot be seised to the use of another.

3d. The House of Assembly cannot omit to assure your Lordship that their reason for placing the police force under the immediate command of the Governor, in case of martial law, was not because they desired to repose in him due confidence "when it is attended with a great risk, and then only." They followed in this respect the Jamaica Police Act; and their sole reason for adopting it was, because it was absolutely necessary, in a case in which the operation of the Act in question would be suspended, and to prevent the police from being disbanded, to vest the absolute command of them somewhere; and as the Governor or person having military command appeared to them to be the fittest person to be invested with such an authority, the Act was framed so as to give it to such person. The House of Assembly are also at a loss to discover on whom else, during martial law, such an authority could devolve.

In conclusion, the House of Assembly deem it proper to inform your Lordship, that the Bill intended to supply the place of the Act for the establishment of a rural police, which was disallowed by His Majesty, was originally passed with a suspending clause, that it might have your Lordship's approval before it came into operation; and in order that the system might receive no check to its well working, a short Bill was passed, placing the police force for six months under the direction and at the disposal of the special justices of the peace appointed by His Majesty to carry into execution the Abolition Act. To this Act, a copy of which is forwarded for your Lordship's information, his Excellency has been pleased to withhold his assent, for the reasons stated in his communication to the President of the Council of the 27th March instant, copy of which is also annexed.

Appendix, C. p. 98.

Appendix, D. p. 99.

The course thus adopted by the Governor has compelled the Legislature to erase the suspending clause, and present the Bill which accompanies this, for his Excellency's disallowance or assent, as he shall deem expedient.

On the Militia Act your Lordship is pleased to remark, that it fixes the qualification of privates at too great an amount of property; and that the measure, not being limited to the duration of the apprenticeship, is apparently designed as a permanent system. Your Lordship adds, that "His Majesty's decision will be suspended until the Governor shall have reported what may be its probable effect on the military defence of the Island; and how far it may be expedient, for any such object, to sanction an Act, the tendency of which appears to be to maintain disabilities which have been professedly abolished, and to keep alive invidious distinctions in society."

The qualification required by this Act is a pecuniary one, and extends indiscriminately to all classes of persons, with the exception of clerks in offices or counting-houses. The principle of the Bill has, at least, your Lordship's sanction; for your Lordship very justly observed in the former part of your Despatch, in reference to these "distinctions," that "property may be taken as not an unfair test of the fitness of persons for public trusts, as it certainly ascertains their probable disposition to support the political institutions under which they live."

The exception in favour of clerks is made because persons of this description may be considered as affording sufficient security to the public for their good conduct, from their education and expectations; they also for the most part reside in Bridge Town and within a mile of their parade ground. The time occupied by them in performing militia duty is not their own loss but that of their employers. They perhaps form the best description of our militia force; and as they look forward to being advanced to respectable situations in society, this early training qualifies them for promotion in the militia. It is different with the "husbandman, artizan and mechanic:" they frequently have to travel a distance from their homes before

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before they reach their parade ground; one day in every month of their time is therefore abstracted from the occupations by which they gain their livelihood; and they are saved the expense of equipment.

By the present Militia Act, every freeman in the Island able to bear arms, from the age of 16 to 60, with the exception of His Majesty's members of Council, is bound to serve in person in the militia. Such a law was not only applicable to the state of society which existed when it was passed, but was absolutely necessary to the security of the Island against internal commotion. But on the extinction of slavery it became equally necessary to guard against the consequences of an event which might have thrown the whole male population within those ages into the ranks of the militia. With that view an Act was passed in which the qualification was prospective, and which had reference only to those persons who might thereafter become free. This Act was disallowed by His Majesty. The House of Assembly so fully coincide in the sentiments expressed by Mr. Secretary Stanley in his Despatch announcing the disallowance of that Act, that they trust your Lordship will pardon the following long extract from it. Mr. Secretary Stanley was pleased to write as follows on the subject: "His Majesty has been advised to disallow this Act upon grounds which it is my duty to explain to you. I have no doubt that the object of the Legislature of Barbadoes in making this provision was to adapt the militia laws of this Island to the altered state of society which must ensue upon the approaching extinction of slavery, to which the present laws are clearly inapplicable. It is obvious that a law requiring every free man to be enrolled in the militia would, in the event of all becoming free, encumber the Colony with the maintenance of an unnecessarily large and expensive force; nor am I prepared to deny that, in the state of things which is about to commence, it may be expedient or even necessary to require some pecuniary qualification for the purpose of limiting the indiscriminate possession of fire-arms. So strongly do I feel the propriety of some legislative enactment upon this subject, that, had the exigency been urgent in point of time, I might have been induced to advise that the present Act should have been left to its operation, trusting that the Legislature would upon reconsideration have amended it in those points in which it appears objectionable in principle. But as no such exigency exists, and as it will be easy to secure all the real advantages of the measure by Acts entirely free from objection, His Majesty has been advised to take the course of at once disallowing the present Act. The Statute 3 & 4 Will. 4, c. 73, prescribes a period at the expiration of which slavery should altogether cease throughout His Majesty's dominions, unless sooner terminated by Acts of the Colonial Legislatures; and the obvious intent and spirit of that statute is, that after that period civil distinctions arising out of the servile condition of a portion of the population should altogether cease, with respect to exclusion from serving in the militia. Indeed the Act of Parliament expressly reserves to the Colonial Legislatures the right of disqualifying those who now are slaves, during the continuance of an intermediate state, neither of absolute slavery nor of perfect freedom, termed in the Act 'apprenticeship,' the duties and restrictions of which appear incompatible with the performance of military duty. Had the prohibition therefore of the Barbadoes Act only applied to the period of this contemplated state, or, looking to the great increase of free men, had confined the duty or the privilege of military service and the possession of arms to those who should possess a certain amount of property, I should have considered the provisions not only unobjectionable but desirable. But as the Act is at present worded, it appears to be repugnant in its principle to the spirit of the British statute; it keeps up an invidious distinction beyond the period of the final change; it permanently deprives the man manumitted after a certain day of privileges which it confers upon another because he happened to be manumitted before that day, and it founds the perpetual exclusion upon the present servile state of the individual. It is to the principle then, rather than to the practical operation of the Act, that His Majesty's Government see cause to object; and giving full credit to the Legislature of Barbadoes for having no other object in view than the prevention of the inconvenience and danger which might arise from the indiscriminate admission of the whole population to the right of carrying arms, I shall be prepared to advise His Majesty to consider favourably any Act which may be presented for his sanction, limiting the privilege by a pecuniary qualification, provided such restrictions apply equally to all classes of His Majesty's free subjects within the Colony who may not, at the passing of the Act, have been enrolled in the militia under the existing laws."

It was in the spirit of Mr. Stanley's recommendation that the Legislature of Barbadoes passed the Act which has been submitted for your Lordship's consideration. They have reconsidered the question of qualification, with reference to its amount, and they do not find the amount fixed by the Act higher than is necessary to secure the objects above contemplated, and to ensure the public confidence in so important an arm of colonial strength and security.

The House of Assembly deem it proper to add, that they consider the present militia system susceptible of much improvement, and they have appointed a committee for the purpose of considering and reporting to the House such alterations as the present state of the Colony render expedient.

The House of Assembly have passed an Act to repeal the 5th and 29th sections of the Act relating to offences against the person. The object of enacting them was not a desire in the Legislature of Barbadoes to assume any power, nor did it proceed from "inattention." Instances of the escape of murderers, from a defect of the jurisdiction which these clauses gave, were in the recollection of the House, and caused their insertion; but the House fully coincides

coincides in your Lordship's opinion, that it is wise to incur the inconveniences alluded to, rather than to hazard any infringement of great constitutional principles.

With respect to the Act appointing Francis Mayal Mallalieu, Inspector-general of Police, which your Lordship considers "an important and dangerous innovation," the House of Assembly assure your Lordship that this mode of appointment is not new. The agent for the Island is thus appointed. But the real object of the law was to invest Mr. Mallalieu, as Inspector-general, with the powers and protection necessary to the due and efficient performance of the duties of his office; and the reason why it was done by a separate Act is, because Mr. Mallalieu was not in the Island at the time of the passing of the Rural Police Bills, in which case his duties would have been specified in that Act, as they now are in the one with which its place has been supplied. They are, however, glad that your Lordship approves of the appointment of that officer, as they are convinced, from his uniform activity and good conduct since his arrival, and from the great experience which he brought with him to the performance of his duties, that the Island will benefit largely from the appointment, and in no respect more than by the savings arising from that rigid economy which his superintendence will enforce in every department of the system.

In offering the foregoing explanation, the House of Assembly most respectfully assure your Lordship, that they have been influenced solely by a desire to satisfy your Lordship's mind that the measures which they adopted were the result of their local knowledge and experience, and were founded on a sincere desire fairly to meet and provide for the great change in the condition of the labouring population of the Island. Deeply interested as they are in the event, well knowing that on the successful accomplishment of the great measure of emancipation depends the safety of their lives and the security of their properties, and seeing in the well-working of the scheme their prosperity, in its failure their ruin, they cannot be supposed capable of such folly as wilfully to oppose a measure which was inevitable, or guilty of such madness as wantonly to incur hazard where such vital interests were at stake; they desire that the fitness and efficacy of their measures should be judged of by no other test than the actual working of the new system under them. To this, as the best proof, and that which must be most satisfactory to your Lordship, they confidently appeal; and they assure your Lordship that they will at all times be ready to meet the strictest inquiry into their conduct, and to give to your Lordship the most full and candid explanation of the motives by which it is regulated.

They have, &c.

House of Assembly, 31 March 1835. (signed) *N. Forte*, Speaker.

(Appendix A.)

RETURN of the respective Numbers of White and Coloured Men, at present serving in the *Bridge Town* Police Establishment.

DISTRICT.	Number of White.	Number of Coloured.	TOTAL.	REMARKS.
Roebuck - - -	9	6	15	The number of coloured-men has never been less than one-third; it now exceeds that proportion.
Bay - - - -	9	6	15	
Tudors - - -	10	5	15	
	28	17	45	

(signed) *F. M. Mallalieu*, Inspector-general.

(Appendix B.)

Sir, Police-office, Bridge Town, 2 March 1835.

We have the honour to acknowledge the receipt of your letter, containing the following Queries, to which we beg to annex the accompanying Answers:

Query 1. Whether you have either individually or jointly taken cognizance of any cases, as magistrates, between apprenticed labourers and their employers or owners?

Answer. Never, but in cases of felony, when it becomes necessary to send on the parties to the court of grand sessions.

Query 2. What course do you adopt when such question is incidentally brought before you?

Answer. We always refer the matter to the special justice, for trial under the Emancipa-

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tion Act; but when the conduct of an apprentice is grossly offensive, and the public peace disturbed, the individual is taken into custody by the police, and passed on to the special justice for investigation.

We have, &c.

(signed) *Edward H. Moore*, J. P.
Robert Hendy, J. P.
Christopher Gill, J. P.

The Hon. John H. Nurse,
&c. &c. &c.

(Appendix C.)

Barbadoes.—AN ACT to authorize the Special Justices of the Peace to appoint a certain Number of Policemen for their respective Districts.

Whereas the Act for the establishment of a Rural Police has been disallowed by His Majesty in Council: And whereas an effective police is as essentially necessary to the well working of the Act for the Abolition of Slavery, as to the preservation of the public peace: Be it enacted, by his Excellency Sir Lionel Smith, knight, Commander of the Most Honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-Chief of this Island, Chancellor, Ordinary, and Vice-Admiral of the same; the Honourable the Members of His Majesty's Council; and the General Assembly of this Island; and by the authority of the same: That the several special justices of the peace appointed for this Island shall be authorized and required forthwith and immediately on the passing of this Act, to enlist and enrol a body of police in the manner hereinafter mentioned, that is to say; the special justice of the peace appointed for the parish of St. Michael shall forthwith and immediately on the passing of this Act enlist and enrol 12 men to serve on horseback and three on foot, and a sergeant and keeper of prison for the said district; that the special justice of the peace for the parishes of Christchurch and St. George shall in like manner enlist and enrol 16 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Philip and St. John shall forthwith and immediately on the passing of this Act enlist and enrol 16 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. James and St. Thomas shall in like manner enlist and enrol 12 men to serve on horseback and three to serve on foot, and a sergeant and keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Peter and St. Lucy shall in like manner enlist and enrol 12 men to serve on horseback, nine men to serve on foot, six of whom are to be kept on duty in Speight's Town under the command of a sergeant, and to appoint two sergeants and a keeper of the prison for the said district; and the special justice of the peace for the parishes of St. Andrew's and St. Joseph shall in like manner enlist and enrol 12 men to serve on horseback and three on foot, and a sergeant and keeper of the prison for the said district. And the several police officers thus appointed shall be indented for a term of not less than six months: and they shall, when thus enrolled, obey all the lawful commands of the said several special justices of the peace for their respective districts. And the said special justices shall be authorized to frame and establish the necessary and proper regulations for maintaining discipline and order amongst the said policemen: and they shall be authorized to dismiss the said policemen in their respective districts, on conviction of any great impropriety of conduct or wilful disobedience of the said rules and regulations.

Clause 2. And be it further enacted, by the authority aforesaid, that the several police officers appointed by virtue of this Act shall be always on duty at such place in the respective districts to which they respectively belong as they have heretofore resided at, or which may be for that purpose provided for them, and under such rules and regulations as are hereinbefore directed to be made; and the treasurer of the Island is hereby authorized to hire such places for the purposes aforesaid. And the said sergeants and policemen shall act as conservators of the peace for their respective districts; and they shall have, exercise and enjoy all the powers, authorities and immunities which are incident to the office of a constable or police officer under any Act of this Island, or any Act of the Imperial Parliament in force in this Island, which are by the general law vested in constables.

Clause 3. And be it further enacted, that each of the sergeants hereby appointed shall be required to keep a good horse, and shall receive a salary at the rate of 130 *l.* current money of this Island per annum, except the serjeant for Speight's Town, who shall not be compelled to keep a horse, and shall only receive a salary of 75 *l.* like current money per annum. And each of the said policemen serving on horseback shall receive a salary at the rate of 80 *l.* like current money per annum; and each policeman serving on foot shall receive a salary at the rate of 50 *l.* like current money per annum. And the keepers of the prisons hereby appointed shall receive a salary at the rate of 100 *l.* like current money per annum. Which said several salaries shall be paid by the treasurer of the Island, in equal monthly payments, on the certificates of the several justices of the peace that the same are due.

Clause 4. And be it further enacted, that this Act shall continue in force for the period of six months from and after the passing thereof, and no longer.

(Appendix D.)

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Sir, Government House, 27 March 1835.

Upon deliberate consideration of my instructions from His Majesty's Secretary of State, I cannot assent to this or any other Bill which does not place the police force necessary to control the apprenticed labourers under the absolute and unfettered authority of the Executive; his Lordship declaring I must "steadily adhere to that principle," on giving or refusing assent to any Police Bill which may be tendered for my acceptance.

I have, therefore, dissented to the enclosed Bill, and beg you will inform the Council accordingly.

I have, &c.

The Honourable Judge Beccles, President. (signed) *Lionel Smith.*

Enclosure 2, in No. 85.

Sir District F., 24 Feb. 1835.

Enclosure 2, in No. 85.

I had the honour yesterday of receiving your letter of the 19th, and in reply beg to state for the information of his Excellency the Governor, that after a strict investigation as directed, I have not been able to ascertain that any driver has been sent to Bissex Hill, to superintend any extra labour. It appears from the examination of some of the police officers, that in the early part of November some labour was given to the Colony, to assist in preparing the foundation for the erection of the police station; this was not labour sentenced by the Court, but labour due to the employer for labour lost during the time those people were confined and put to hard labour by sentence of the Court. A woman was sent to work the same labour in the early part of December. The first were there two or three Saturdays, the latter two Saturdays; the whole remained nine hours each day at light work by themselves, without any one to superintend them; neither did the officers use any authority over them. I have had a number of applications to receive gratuitous labour, but have always refused them; and as I soon as I heard such had been given, I gave positive orders the officers should not receive any.

The cat I find has been carried by the officers attending to the penal gangs, subsequent to my giving orders to the contrary, as his Excellency will perceive by the enclosed documents. I have neither been able to ascertain that any labourers have been threatened in the manner stated; but if his Excellency will cause me to be furnished with the names of the complainants, I may be able more fully to come to the truth of the complaint.

I have, &c.

(signed) *Jos. Hamilton,* S. J. P.

District F.

DEPOSITION of *Robert M'Alpin,* Sergeant of Police of the above District.

This Deponent saith, That Joseph Hamilton, esquire, special justice of the peace for the above district, has given orders to me several times that no apprenticed labourer should be received to be worked at Bissex Hill, unless legally convicted to hard labour; that if the police officers took charge of any, he would not be responsible for any such proceedings; and such orders I communicated to the whole of the police officers. And further orders were given me that a cat was not to be used at all at the Hill, by the officers when attending the convicted labourers, which orders I also communicated to the police officers; but Richard P. Pile, esquire, a resident commissioner, gave strict orders that each officer attending the labour of the prisoners were to carry a cat, as they would not do any work without it, and that was the only method of compelling them. And I can positively state that I am not aware that a driver was ever at Bissex Hill on Saturday.

(signed) *Robert M'Alpin,*
Serjeant of Police, District F.

Sworn before me at the Court of District F., this 23d day of Feb. 1835.

Jos. Hamilton, S. J. P.

District F.

DEPOSITION of *Francis Barrow,* Keeper of the House of Correction for the above District.

This Deponent saith, That I have received orders from Capt. Joseph Hamilton, special justice of the peace for the District F., that no extra labour should be worked at Bissex Hill, and should any person send labourers to be worked, not to receive them. I have repeatedly sent back labourers sent to the gang to work extra labour. I also was directed by

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by Sergeant M'Alpin not to send up a cat when the prisoners went to work; it was Captain Hamilton's orders that it was not to be allowed. But Mr. Richard P. Pile, one of the commissioners for the district, gave directions that no police officer appointed to take charge of the penal gang, was to take them to work unless he carried a cat; and if it was necessary, the prisoners were to be whipped, but not severely; that if they were very unruly they were to be taken before the magistrate.

I am not aware that a driver was ever sent to Bissex to drive any labourers.

(signed) *Francis Barrow.*

Sworn before me this 24th day of Feb. 1835.

(signed) *Jos. Hamilton*, S. J. P.

Sir, Barbadoes, 3 March 1835.

I HAVE the the honour to acknowledge the receipt of a communication from your Excellency, dated 28th Feb., enclosing a letter from Captain Hamilton, of District F., with the deposition of two police officers at his station, relative to the discipline observed at the station house at Bissex Hill, and requesting my report on this case.

It appears from these documents that the cat is used at Bissex Hill station as an emblem of authority, by the police officers superintending the labour of the convict apprenticed labourers; and one policeman, Barrow, states that it was ordered by Mr. Pile that the prisoners should be whipped if necessary. It therefore becomes a question of some importance whether or not the use of the cat in the manner stated is allowed by the existing law.

By the Abolition Act of Barbadoes, clause 70, "No person other than the justices of the peace holding special commissions has authority to punish an apprenticed labourer for any offence, by the whipping, beating or imprisonment of the person, or by any penal or other correction or imprisonment whatsoever, unless deriving the authority to do so from a law or police regulation in force for the prevention or punishment of any offence; such law or police regulation being in force against or applicable to other persons of free condition."

By clause 21 of the Act for establishing a rural police, persons condemned to imprisonment with hard labour at the houses of correction, are to be classed and formed into one or more penal gangs, and to be employed under the superintendence of one or more police officers, &c. "under such rules and regulations as the said commissioners shall deem fit."

It does not appear that the use of the cat at Bissex Hill has been otherwise sanctioned as a police regulation than by the orders of Mr. Pile, to which it does not appear that any other commissioner was a party; but whether Mr. Pile acted individually or conjointly with his co-commissioners on this occasion is immaterial, as I do not think that in either case such an order would be valid. The commissioners have no power to order punishment by corporal correction; and unless it can be shown that either by the general or local law the cat is allowed as an instrument for compelling all classes of convicts to labour during the period of undergoing their punishment, they cannot sanction its use, notwithstanding the power vested in them by clause 27 of the Rural Police Act; and I am not aware that overseers superintending the working of a convict gang are allowed to carry it; or to use it without the authority of a magistrate, which in this case seems to have been expressly withheld.

It is, therefore, quite clear to me that the cat has been used at the station-house at Bissex Hill without any sufficient authority; but it will no doubt be insisted upon that Mr. Pile, in ordering the use of it, exercised a legitimate authority as a commissioner of rural police; and it would be difficult to persuade a court or a jury in Barbadoes that I have taken an accurate view of the question. Fortunately, however, all doubt upon this point is now at an end. The disallowance of the Rural Police Bill sets this question at rest, and the proceedings at the Bissex's Hill station singularly illustrate the tortuous working of this legislative measure. They clearly show how successfully it defeats the intentions of Parliament, by conferring on the commissioners the power of setting at nought the authority of the stipendiary magistrates whensoever they pleased.

His Excellency Sir Lionel Smith, K.C.B. I have, &c.

&c. &c. &c. (signed) *H. C. Sharpe.*

Sir, Springfield, 16 March 1835.

I HAVE the honour to acknowledge the receipt of your communication under date of the 4th inst., and must apologize for not having replied to it earlier.

It did not, however, reach me until on the evening of the 9th, and I have been several times since engaged on public business.

It becomes necessary for me to enter into some detail to reply fully to the inquiry of his Excellency. Between two and three months since I had been absent from home for a week, when on my return, the policemen who were in charge of the penal gang came to me and informed me that Captain Hamilton had some days before desired that the policemen whose duty it may be in turn to superintend the labour of the penal gang, should not carry a cat; and they informed me that he added that such was his order; but that if the commissioners thought that it was necessary, and gave the order for carrying a cat, they must obey it. Being the only resident commissioner in the district, I inquired of them the effect

effect of the order given by Captain Hamilton; they replied that they had taken the earliest opportunity after my return home to inform me that the convicts idled excessively, and that they were even heard to say that they would work as they pleased, as there was now no longer a power to compel them to labour hard. The subject of coercion had been recently discussed at the board of commissioners; and it there seemed to be the prevailing opinion, that where the convicts were idle or disobedient whilst at work, the cat should, as as is the case with convicts elsewhere, be used moderately, as a stimulus to further exertion.

At this particular time doubts had been expressed by one or more of the special justices whether they had the power to compel hard labour, or to punish idleness not committed in the service of the employer. Under these circumstances, and in possession of the sentiments of the board, I gave orders to the policemen that a cat was to be carried by the men in charge of the convicts; and that should they be idle, and continue so after being spoken to, they may resort to the use of the cat in a very moderate degree, for the purpose of coercing them to increased exertion; and should such moderate means fail, they must then bring them to me, and I would pass them on to the special justice with a complaint. Having given this order, I thought it my duty to see, as far as I could, that it was not abused. I therefore frequently went to the place on which the convicts were at work, and am ready to declare that in no instance did I see or hear during that time of any complaint of undue severity. The system continued to work well; and there appeared on the part of the labourers a desire to avoid being sent to the station, because they could be compelled to hard labour, or an increase of exertion beyond that usually made by them at home.

Soon after the 25th February, Captain Hamilton again issued an order that the cat may be carried, but that it was on no account to be used, under pain of suspension of the officer using it. I have given no order since; the cat is carried, but not used. I have received constant complaints from the police officers that the prisoners, aware of the order, are excessively idle; that their conduct is riotous and disorderly; that they laugh, sing and talk aloud whilst idling; that they taunt them with carrying an instrument which is neither useful nor ornamental; and that in fact they do not perform "hard labour." It may perhaps be necessary to state the reason of the police officers having so often made their reports to me. There being no district prison, when the police was removed from Joe's river, as an accommodation to the inhabitants of the district, I lent two rooms in one of my buildings, which being approved of by the special justice, were used as prisons; and therefore the superintendents of the labour came to the estate twice each day. Instances have come under my own knowledge, and others have been reported to me, where labourers have been heard to say, on being threatened to be carried before the special justice, that they cared not, as he would only send them to the station, where they could now do as they pleased. I cannot omit to mention that this order, connected with the circumstance of there having been, since the 20th December, only one corporal punishment ordered by the special justice of the district, has given an impression to the labourers that such a mode of punishment and coercion must not be resorted to.

I regret exceedingly to state, for the information of his Excellency, that there exists throughout the district a general dissatisfaction amongst the employers of apprenticed labourers, occasioned by the order last issued by Captain Hamilton; and they hesitate not to declare their determination to submit to the annoyances of their apprenticed labourers, rather than to take them before the special justice, where they will be nominally ordered a punishment, which virtually they do not undergo, that of "hard labour." I would venture most humbly and respectfully to suggest to his Excellency, the possibility that from these circumstances may occur most unhappy results; as the employers, fearing that the working of convicts under the present system could only be the means of bringing not only the police force, but the Abolition Act itself into contempt, may feel themselves compelled to resort to a system of negative punishment, namely, that of withholding from their labourers the enjoyment of many comforts and privileges which they now possess, but which are not enjoined by law. This would lead to a disunion of feeling between the different classes, which it has always been declared, by the various Secretaries of State for the Colonial Department, to be the object and wish of the British Nation and the British Parliament carefully to avoid.

I beg to apologize to his Excellency for the length of this communication; and in reply to the inquiries of his Excellency, to state that I acted, not as a justice of the peace (not having been sworn in), but in the capacity of one of the commissioners appointed under the Rural Police Act, and under the authority of the 21st clause of that Act.

I have, &c.

Lt. Darling, &c. &c. &c. (signed) *Richard P. Pile.*

District F.

Sir, 3 April 1835.

I HAVE the honour to acknowledge the receipt of your letter of the 23d ult., enclosing a letter from Mr. Pile, of Springfield, to which his Excellency directs my notice, and requires me to report as the "pencil remarks" in its margin point out.

I have to request his Excellency will excuse the liberty I have taken in numbering the remarks, as by that method they may be more readily referred to.

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I have made inquiries of the police officers, and have also examined them, relative to those parts of Mr. Pile's letter of the 16th March, which his Excellency requires me to report upon.

With respect to the first remark, the police officers deny having given such information to Mr. Pile at the time mentioned; neither did they hear the prisoners say "they would do as they pleased, as there was now no longer a power to compel them to labour hard."

2d. The police officers all state the cat was used moderately; namely, when any one of the prisoners idled, a light stripe was laid on their backs, it being covered at the time with their clothes.

3d. I believe that more than one special justice entertained the opinion, previous to his Excellency's circular of the 19th February, that after an apprenticed labourer was convicted he had nothing further to do with him, except as expressed in the 74th clause of the Island Abolition Act, which states, "the special justice is to appoint police officers to superintend the convicts' labour, and is directed to give those officers such orders as he may think proper to prevent their escape."

4th. I was not aware that this order was given by Mr. Pile.

5th. I know not what Act or clause authorizes Mr. Pile to order flogging.

6th. When the special justices met his Excellency at Government-house on the 25th February, on public business, his Excellency's opinion was asked as to the legality of the cat being carried by the officers superintending the penal gangs: the substance of his Excellency's answer was, "that he had ascertained that the cat was carried with penal gangs at home; therefore he did not see any material harm or objection to its being carried, provided it was not used." Upon the faith of this reply, I gave orders to the sergeant of police on the 27th February, "that the officers attending the penal gang might carry the cat, but on no account were they to use it;" and to ensure the latter part of the order being punctually obeyed, I added, "if any officer did so I would immediately suspend him; but if the prisoners misbehaved, the officers were to make their complaint to me, and I would order them a punishment."

7th. One day, when Mr. Pile was at the station where the prisoners work since the 27th February, police-officer William R. M'Lean told him the prisoners were very idle; that he threatened to use the cat, when they turned it into ridicule. Police-officer Timothy O'Shaughnessy told Mr. Pile, since the 27th February the prisoners were idle and very slow in their movements.

8th. Police-officer John R. Nicholls states the prisoners laugh and sing. The other officers state they are not riotous or disorderly, neither do they laugh or sing; they sometimes talk, but stop when spoken to; the officers have not been taunted by the prisoners for carrying the cat, &c., as stated in Mr. Pile's letter.

9th. I have no recollection of any instance where the apprentice labourers have said, "they did not care being sent to the special justice, as he would only send them to the station, where they could now do as they pleased." It has often been asserted from the commencement of the apprenticeship, by the complainant, that the prisoners on trial had said, "they might take them to the magistrate, or where they pleased;" but this I always considered was said when in a state of irritation, and not meant, neither intended to allude, to the severity of the punishment likely to be awarded

10th. I am not aware of a "general dissatisfaction" through the district at the last order issued by me, namely, that given to the officers "to carry the cat with the penal gang, but not to use it."

11th. Neither do I know of any determination on the part of the employers to submit to the "annoyances" of their apprenticed labourers, rather than take them before the special justice.

12th. The 21st clause of Island Rural Police Act states, the prisoners are to be worked under such rules and regulations as the commissioners shall deem fit, and the special justice is to appoint officers to attend them.

I herewith beg to enclose a copy of the deposition of the sergeant of police, regularly attested, according to his Excellency's request, together with Mr. Pile's letter.

I have, &c.

C. H. Darling, Esq., Private Secretary, &c. &c. &c. (signed) *J. Hamilton*, S. J. P.

Enclosure 3, in No. 85.

Police Office, A. District, Bardadoes, 27 April 1835.

Enclosure 3, in No. 85.

Sir,

I HAVE the honour to acknowledge your letter of the 25th inst., and to state in reply, for the information of his Excellency, that I have considered the commissioners generally in this Island in any other light than an assistance to the special magistrate, but rather as materially interfering with them.

In December last, two policemen of my station were disorderly, and by the law I was compelled to report them to the commissioners, being under their control.

One policeman, named Davison, had been drunk three times, and once on duty. I reported him on the 6th December last, when he was instantly struck off on that very day. This man was a discharged soldier of the 93d regiment.

The next policeman, named Agard, was also reported on the 6th December, for actual mutiny;

mutiny: he had absented himself one day without leave, and I directed the sergeant that Agard should make good his day when it came to his day for going on leave, when Agard positively refused to make it good, and swore before the sergeant that he (Agard) would go on leave his day in spite of the devil, and did go. I reported the circumstance to the commissioners, who ordered me to appear before Mr. Evelyn, a general magistrate, to prefer my charge and produce my evidences. I did so; Agard confessed his guilt, and was sentenced to pay 12 dollars. It was much wished to return him back to the police, which I firmly opposed, stating his unfitness for the situation; and after this affair was pending he was allowed to resign his situation, instead of being dismissed, for example sake to others. This man was a spy most decidedly, and continually talked of his friend the commissioner, Mr. Boucher Clarke, jun., whom he gave his vote to for the representation of St. Michael's, in the Assembly. Observe, the 12 dollars fine was easily paid, as he did no duty from the 6th December, but was not struck off from his pay until the 23d December, giving him 17 days' pay for doing nothing whatever.

Again, the special magistrate has to sign all indents and requisitions for the use of the police; but latterly the commissioners have given strict orders that all issues shall be withheld, unless such requisitions are countersigned by them; clearly putting the magistracy in their power.

Again, there is a station-house building in my district at which the prisoners work, the building being contracted for by Mr. M'Conney, a carpenter; the prisoners have my orders to work under the direction of the police officers, and in case they are idle or irregular, that the police officer is to send them to me. I gave this order, because Mr. M'Conney was frequently ordering the police officers to beat the prisoners, and always threatening to report us all (magistrate and police) to the commissioner, Mr. Boucher Clarke, jun. Indeed, I do consider and ever have considered that commissioners are an impediment to the carrying the Abolition Act into full force; and if they are to have the control and authority of the police establishment, as they have hitherto had, I must declare (from the experience of nine months) that the special magistrate will be anything but an independent magistrate, and all the prisoners will be removed from his power, and go through their punishments under the direction of those very men which the law seems to have least desired; namely, those who own apprentices themselves.

I could detail many other circumstances where the commissioner has interfered with the working of the prisoners; but the arduous duty of my situation, as the magistrate of A district, will not allow me to submit them in time to be forwarded.

(signed) I have, &c.

To Lt. Darling, &c. &c. &c. *Wm. Bush*, Lt. Col. K. H.

Enclosure 4, in No. 85.

Barbadoes.—AN ACT for the Establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith.

WHEREAS, in consequence of the changes made in the relations of society in this Island by the provisions of an Act of the Imperial Parliament of the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" it became necessary to establish and maintain an efficient body of police in the several parishes of this Island, to be continually in readiness for the preservation of the public peace, the prompt suppression of all disorders, and the prevention of crime: And whereas, for the accomplishment of those objects, the Legislature of this Island did on the 14th day of July 1834, pass an Act, intituled, "An Act for the establishment of a Rural Police for this Island, and for the erection of Houses of Correction connected therewith:" And whereas the said last-mentioned Act has been disallowed by His Majesty in Council, and it is absolutely necessary for the safety of the lives and properties of the inhabitants of this Island, that another Act should be immediately passed for keeping up and maintaining the rural police established by the said Act; Be it therefore enacted, by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that this Island shall be, for the purposes of this Act, divided into six districts, and that the same shall be composed of the parish or parishes hereinafter mentioned, and shall be distinguished in the manner following; that is to say,

The parish of St. Michael and town of Bridge Town, to form district	A
The parishes of Christchurch and St. George, to form district	B
The parishes of St. Philip and St. John, to form district	C
The parishes of St. James and St. Thomas, to form district	D
The parishes of St. Peter and St. Lucy, to form district	E
The parishes of St. Andrew and St. Joseph, to form district	F

Clause 2. And be it further enacted, by the authority aforesaid, that five members of His Majesty's Council, to be appointed by the Governor or Commander-in-Chief of this Island for the time being, and 11 members of the General Assembly, one from each parish, to be also

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also appointed by the Governor or Commander-in-Chief for the time being, and so from time to time as vacancies shall occur, shall be and are hereby constituted Commissioners for carrying this Act into execution; and they, or any five or more of them, one at least being of the Council, are hereby deemed and constituted a Board for carrying on the business of this Act; and in case any member or members of Council, or of the General Assembly, so appointed, shall leave the Island, become incapacitated, or cease to be a member or members of Council or of the General Assembly, his and their place and places as such Commissioner or Commissioners shall be considered and are hereby declared to be vacant, and such vacancy or vacancies shall be supplied in manner aforesaid.

Clause 3. And be it further enacted, that the said Commissioners or any Board of them shall be empowered, and they are hereby directed to purchase six spots or parcels of land, one in each of the said several districts, in such convenient situations as may be best adapted from their locality for the several police establishments, and the erection of houses of correction; provided that none of such spots or parcels of land shall exceed two acres; and that in case the owner or owners thereof cannot agree with the said Commissioners or a Board of them, for the price of the same, that a valuation shall be put on such land by a jury to be summoned and held in the manner prescribed on laying out new jury roads; and such spots or parcels of land shall be conveyed to and vested in the said Commissioners and their successors, to be appropriated for the establishment of police settlements thereat, and the erection of houses of correction, and other necessary buildings thereon proper for such establishment: Provided always, that if in the appropriation of any such parcels of land for the purposes of this Act, it shall so diminish the lands of any person as to deprive such person of the right and privileges of a freeholder, then and in such case the fee-simple of the land so purchased and appropriated as aforesaid shall be held and considered as still being in such person, so far as to preserve to such person the rights and privileges of a freeholder, but not further or otherwise, or for any other purpose whatsoever.

Clause 4. And be it further enacted, that the said Commissioners or any Board of them shall cause the buildings necessary for such police settlements and houses of correction, to be erected on such plan or plans as may appear to them best suited to each of the said several districts; and shall contract and agree with proper persons for the erection of such buildings on each of the several spots or parcels of land as may be necessary for such police settlements, such buildings to be built according to such plan or plans as aforesaid, and subject to such alterations as from time to time may seem to the said Commissioners or any Board of them to be necessary and expedient; and at each of the said several stations or settlements shall be erected a signal-post, so as to communicate by telegraph with each other, or with any one or more of the signal-posts already established; and the said Commissioners or any Board of them are hereby authorized to execute any agreement or agreements in writing, on behalf of the public, with any person or persons so to be employed in the erection of such buildings, and for completing the same in a proper and workmanlike manner: Provided always, that tenders for such contracts shall be advertised for in one or more of the newspapers of this Island, and that the lowest and most eligible tender, if approved, shall be accepted by the said Commissioners or any Board of them; and they are hereby required to take a bond from the said contractor or contractors, in such penalty or penalties as shall seem proper to them, and with two good and sufficient securities, to be approved of by them, for the due and prompt performance of his or their contract or contracts; and from time to time as any sum or sums of money shall become due to the person or persons from whom such spots or parcels of land as aforesaid shall have been purchased, or to such contractor or contractors under and by virtue of any such contract or contracts as aforesaid, the said Commissioners or a Board of them shall draw an order or orders on the treasurer of the Island for the payment of such sum or sums of money to such person or persons, or to such contractor or contractors respectively, which order or orders the treasurer is hereby directed to pay out of any monies that may be in the treasury: and the said Commissioners or any Board of them, if they shall think proper, are hereby also authorized to appoint some competent person or persons to inspect and survey the said buildings, and see that the same are finished in a faithful and workmanlike manner, and according to the contract or agreement for building the same; and such person or persons so to be appointed shall receive such remuneration for his or their trouble as shall be agreed upon by the said Commissioners or any Board of them, and such person or persons; and the said Commissioners or any Board of them are hereby authorized to draw an order on the treasurer of the Island for the payment of such remuneration to such person or persons, which order the treasurer is hereby authorized and required to pay.

Clause 5. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Governor or Commander-in-chief of this Island for the time being to appoint, by a commission under the seal of this Island, a fit and competent person as an Inspector-general of Police, for the purpose of regulating the duties and superintending the conduct of the police officers hereinafter appointed, and for enforcing strict discipline and obedience among such men; and the said Inspector-general shall have, possess and exercise, for the whole body of this Island, all the powers and authorities whatsoever as are had, possessed and exercised by any police officer or constable, either by virtue of any Acts or Statutes of this Island, or of any Acts or Statutes of the United Kingdom of Great Britain and Ireland in force in this Island, or by the ancient law of the realm; and he shall have the same immunities and protection extended to him as are given to constables or police officers by any such Acts, statutes or laws.

Clause 6. And be it further enacted, by the authority aforesaid, that it shall and may be lawful

lawful for the Commissioners appointed by this Act, or a Board of them, and they are hereby empowered to appoint one sergeant at each police settlement, who is to be required to keep a good and efficient horse; and to appoint for district A, 12 privates mounted on horses, and three privates to serve on foot; for district B, 16 privates mounted on horses, and three to serve on foot; for district C, 16 privates mounted on horses, and three privates to serve on foot; for district D, 12 privates mounted on horses, and three privates to serve on foot; for district E, one additional sergeant to reside in Speight's Town, and 12 privates mounted on horses, and nine privates to serve on foot, six of whom are to be kept on duty in Speight's Town under the command of such additional sergeant; and for district F, 12 privates mounted on horses, and three privates to serve on foot; all able-bodied men between the ages of 20 and 55 years; and when any such situation shall become vacant by the death of any such sergeant or private or otherwise, it shall be the duty of the person in charge of such settlement immediately to report the same to the Inspector-general of Police, who shall thereupon give notice of such vacancy to the said Commissioners, or a Board of them; and they are required to fill up all such vacancies by appointments in manner aforesaid: and such sergeants and privates shall be styled police officers, and shall form the police force at such settlements, and they shall reside at their respective police settlements when not on actual duty; and such police officers shall be subject to such rules and regulations for their government as the said Commissioners, or any Board of them, with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, shall in that behalf appoint: Provided always, that no corporal punishment shall be inflicted, nor shall any sentence extend to death.

Clause 7. And be it further enacted, that the said Commissioners, or any Board of them, are hereby directed and empowered to indent all persons so appointed and engaged into the said police, for a term not less than one year, nor more than seven years; and during the term that they shall remain such police officers as aforesaid, they shall receive the following pay; that is to say, each sergeant shall receive the sum of 130 *l.* current money of this Island per annum, to be paid him in equal monthly payments by the treasurer of this Island by certificate of the Inspector-general, except such additional sergeant for Speight's Town, who shall receive his pay at the rate of 75 *l.* per annum; and each private serving on horseback the sum of 80 *l.* like current money per annum, to be paid to him in equal monthly payments in mannner as aforesaid; and each private serving on foot the sum of 50 *l.* like current money per annum, to be paid him in equal monthly payments in manner as aforesaid: Provided always, that seven days' notice in writing at the least be given by the Inspector-general, to the treasurer, of the number of such certificates and the amount of money required to pay the same.

Clause 8. And be it further enacted, by the authority aforesaid, that it shall and may be lawful for the Commissioners hereby appointed to employ or enrol fit and proper persons, not being apprenticed labourers, to form such police as aforesaid, subject to the approval and confirmation of the Governor or Commander-in-chief; and no appointment shall be valid until it has been so approved and confirmed.

Clause 9. And be it further enacted, that as vacancies occur among the sergeants of such police settlements, privates may for good conduct be promoted to such vacancies from time to time by the said Commissioners, or any Board of them, subject to the approval of the Governor or Commander-in-chief.

Clause 10. And be it further enacted, that the several privates appointed to the different districts shall immediately on their enrolment be respectively numbered by the sergeant of such district, and shall be provided with the following dress: a blue cloth jacket, to be so made as to button close up to the chin, with a standing collar, on the right side of which shall be worked in white cloth the letter distinguishing the district to which such private belongs, and on the left the individual number of such private according to such enrolment as aforesaid; a pair of dark-blue cloth trowsers, a black hat, two pair of strong shoes, and a cloth cloak or great coat, such as is furnished to the soldiers in His Majesty's army: and that each of the said sergeants shall be provided with a blue cloth jacket with standing collar, on each side of which shall be worked in white cloth the letter distinguishing the district to which he belongs, and with three stripes in white cloth on the left arm, and that in all other respects they shall be dressed as the privates are hereby directed to be: which said uniforms are to be worn by the said police officers at all times when on duty, and to be annually furnished to them at the public expense under the direction of the said Commissioners, or any Board of them.

Clause 11. And be it further enacted, that the said Commissioners, or any Board of them, are hereby authorized and directed to arm and accoutre the said police officers in such manner as they shall deem expedient, by and with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, for the due performance of their duties and their proper protection as a police; which said arms and accoutrements shall be provided at the public expense, and shall be kept when not in use in complete order, and deposited in a room to be appropriated to that purpose at each police settlement.

Clause 12. And be it further enacted, that such number of the police officers hereby appointed shall be always on duty, in the police districts to which they respectively belong, as shall be directed in and by the rules and regulations to be made for the government of the said police as hereinbefore mentioned, and they shall strictly attend to and perform the regular routine of police duty in each district, and they shall carry into execution all such orders as they shall receive from the special justice of the district to which they belong, for the prevention and suppression of insubordination or crime.

Clause 13. And be it further enacted, that in all cases of emergency it shall be lawful for any special justice to summon to his assistance any number of police officers from any other district; and the person having charge of such police settlement shall furnish the same or not, at his discretion.

Clause 14. And be it further enacted, that the sergeants and privates of police shall act as conservators of the peace for the respective districts to which they shall respectively belong, and they shall have, exercise and enjoy within their respective districts all the powers, authorities and immunities which are incident to the office of a constable or police officer under any Act of this Island, or under any Act of the Imperial Parliament in force in this Island, and which are by the general law of the land vested in or given to constables or police officers; and all such powers, authorities and immunities are hereby declared to be fully and absolutely vested in and given to such sergeants and privates of police: Provided always, that when any such police officer shall be suspended, dismissed, or cease to belong to such police settlement as aforesaid, all such powers, authorities and immunities shall immediately cease and determine.

Clause 15. And be it further enacted, that the said police officers may, upon reasonable cause, visit the several plantations, estates and places within their respective districts, and search for absentees or otherwise; and that every employer or person having the charge of any apprenticed labourer or labourers shall, within 24 hours after he or she shall know that any one or more of such apprenticed labourer or labourers has absented himself, herself or themselves from duty, without the permission of such employer or person having such charge as aforesaid, make a report thereof to the police settlement of the district; and the sergeant of such settlement is hereby required to communicate the same to the police officers of his district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees; and every person having such charge as aforesaid who shall omit to make such report, shall forfeit for each absentee the sum of 20*s.* current money, to be recovered as in the case of servants' wages, and paid into the public treasury.

Clause 16. And be it further enacted, that in case any police officer shall be guilty of any infringement of any of the bye-laws or regulations for the government of the police establishment, or any other impropriety of conduct or breach of duty as such police officer, it shall and may be lawful for the Inspector-general, on conviction of any such offence, to impose a penalty on him of not more than 5*l.*, subject to such rules and regulations as shall from time to time be made for the government of the police force as aforesaid; and in case the same shall not be duly paid, notice thereof shall be given by the Inspector-general to the treasurer of the Island, who is hereby directed to deduct the amount of such penalty from the pay of such police officer: Provided always, that if any police officer shall consider himself aggrieved under this clause, it shall be lawful for him, subject to any rules or regulations concerning the same, within five days after the imposition of such penalty, to appeal therefrom to the said Commissioners, who shall thereupon report the same to the Governor or Commander-in-chief of this Island for the time being, for his decision on such appeal.

Clause 17. And be it further enacted, that the said Commissioners, or any Board of them, shall be authorized to hire any place or places for the assembling and keeping together the different police officers until proper police settlements shall be built for their reception and accommodation.

Clause 18. And be it further enacted, that the sergeants and privates of police to be appointed by virtue of this Act, shall each of them, previously to his entering upon the execution of his office, take an oath before the special justice of the peace having the superintendence of the police settlement of which such sergeant or private shall be a member, which oath such special justices of the peace are hereby respectively authorized to administer, the tenor whereof shall be as follows: "I, *A. B.*, do swear that I will well and truly serve our Sovereign Lord the King, as a police officer for the district of in this Island, according to the best of my skill and knowledge.—So help me God."

Clause 19. And be it further enacted, that all such persons as shall be condemned to imprisonment with hard labour at such houses of correction as aforesaid, shall be classed or formed into one or more penal gang or gangs, and shall be employed under the superintendence of one or more of such police officers, to be appointed for that particular duty, upon the repair of the highways of the district to which they belong, or such other public works in such district, under such rules and regulations as the said Commissioners, with the consent and approbation of the Governor or Commander-in-chief of this Island for the time being, shall deem fit; and that the persons so employed shall wear such dress or dresses, to be provided at the public expense, with such mark or marks upon them as the said Commissioners, or Board of them, with such consent and approbation as aforesaid, shall appoint. And any person, not duly authorized, taking off or assisting any member of such penal gang to take off or conceal his dress, shall for every such offence forfeit and pay, on conviction before any justice of the peace, a sum not exceeding 5*l.* currency, for the use of the public treasury, or to be imprisoned with or without hard labour, at the discretion of the said justice, for a term not exceeding one month, in the house of correction for the district in which the offence may be committed, or in the common gaol of the Island.

Clause 20. And be it further enacted, that all persons committed to the houses of correction shall be supplied with proper food at the public expense, the same to be furnished in such manner and of such quality as any Board of the said Commissioners shall direct and appoint: Provided always, that tenders for the said food and all other necessaries for the said establishments respectively shall be contracted for in the same manner as public contracts,

contracts, and the lowest and most eligible tender, if approved, shall be accepted by the said Commissioners, or any Board of them, and security given and approved of by them for the due performance of the said contracts; and the said Commissioners, or a Board of them, shall from time to time draw orders on the treasurer for the payment of the same.

Clause 21. And be it further enacted, that the said Commissioners or any Board of them shall be and they are hereby authorized and required to appoint (subject to the approval and confirmation of the Governor or Commander-in-chief for the time being), a keeper to each house of correction which shall be attached to the said police establishments; and all vacancies, subject to the approval or confirmation of the Governor or Commander-in-chief, shall from time to time be supplied by their appointment; and every such keeper may be removed by them for bad conduct or inefficiency; and every such keeper is hereby declared to be under the immediate superintendence of the special justice or justices of the district in which such house of correction is situate; and every such keeper shall and he is hereby directed to keep a book or books, in which he shall regularly enter the names of the persons committed to the said house of correction, the name or names of the justice or justices committing them, the offence for which committed, and the punishment to be undergone by them; which said book or books shall and may always be inspected by the Governor and Council and the said Commissioners, or any of them: and each keeper of every such houses of correction shall be paid at the rate of 100*l.* current money of this island per annum, and shall receive such pay monthly out of the public treasury, on certificate of the special justice for the district to which he shall belong.

Clause 22. And be it further enacted, that the said Commissioners or any Board of them shall frame and establish all proper and necessary rules and regulations for the management and internal discipline of the said police settlements; and shall from time to time, if expedient, alter and add to the same, regard being had to the due classification of the prisoners and separation of the different sexes, and to the maintenance of cleanliness, order and sobriety among them: Provided always, that all such rules and regulations so to be made by the said Commissioners as aforesaid, shall be of no force or validity until the same are approved of by the Governor or Commander-in-chief of this Island for the time being. And when so approved they shall be written or printed, and hung up in some conspicuous place in the several houses of correction; and the several special justices and police officers are to govern themselves accordingly.

Clause 23. And be it further enacted, that the said Commissioners shall once in every quarter, or oftener if they deem it necessary, meet for the purpose of arranging the affairs and auditing the accounts of the said several police establishments; which meetings are to take place on the second Wednesday in January, the second Wednesday in April, the second Wednesday in July, and the second Wednesday in October, in each and every year; and shall at every such quarterly meeting be attended by the Inspector-general, with his vouchers and documents relating to the expenses of the said police establishments.

Clause 24. And be it further enacted, that the said Inspector-general shall once in each quarter make to the said Commissioners a report of the state and effective strength and condition of the police force of each such settlement, and of the state and condition of the buildings occupied by such police force; and the said special justices shall also once in each quarter make to the said Commissioners a report of the state of the buildings, and conduct of the prisoners confined therein; which reports the said Commissioners are required to lay before the Governor or Commander-in-chief of the Island for the time being, as soon as practicable after they have been so received by them,with remarks thereon as to them shall seem expedient.

Clause 25. And be it further enacted, that in case of martial law being proclaimed, the said police force shall be under the immediate command of the Governor or person in military command for the time being, to be employed in such service as he shall direct, in the same manner as the militia of this Island, and subject to the same rules and regulations, pains and penalties, as by virtue of the several Acts which now are or at any time hereafter may be in force in regard to the said militia: Provided always, that all persons engaged in the said police shall be exempted from militia duty, serving on juries, and as freeholders on appraisements.

Clause 26. Provided always and be it further enacted, that the powers and authorities given to special justices and justices of the peace, or police officers and constables, under and by virtue of this Act, shall not interfere with the exclusive jurisdiction, authority, privileges and powers vested in the justices, superintendents of police, and police officers, by an Act of this Island, intituled, "An Act to establish a Police in Bridge Town, in the parish of St. Michael."

Clause 27. Provided always and be it further enacted, that it shall not be lawful to prosecute and punish any person or persons both under this Act and under the general law, for any offence or offences by him, her or them committed against the provisions of this Act.

Clause 28. And be it further enacted, that no action shall be brought against any such police officer, or other person acting by his order and in his aid, for anything done in obedience to the warrant of any special justice of the peace, until demand hath been made or left at the usual place of his abode by the party or by his attorney, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected for six days after such demand; and if, after compliance therewith, any such action shall be brought without making the special justice who signed such warrant defendant, on producing and proving such warrant at the trial, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the justice; and if such action

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shall be brought jointly against such special justice and the police officer, on proof of such warrant, the jury shall find for such police officer, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict be given against the special justice, the plaintiff shall recover his costs against him, to be taxed in such manner by the officer as to include such costs as the plaintiff is liable to pay to such defendant for whom such verdict shall be found as aforesaid.

Clause 29. And be it further enacted, that no action or suit shall be commenced against any such police officer, for anything by him done in the exercise of his office, until 14 days notice thereof in writing, shall have been given to such police officer, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed. And the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence, at any trial to be held thereon; and if it shall appear that the same was done in the lawful exercise of such office, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days notice thereof, or shall be brought after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants have or hath by law for the recovery of the costs of suit in any other cases.

— No. 86. —

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

No. 86.

Sir, Downing-street, 20 June 1835.

I have received your Despatches dated the 27th of April, No. 15, and the 28th of April, No. 18, with the Act of the Legislature of Barbadoes, enclosed in the last of those Despatches, for the establishment of a Rural Police in the Island for six months.

I entirely approve your decision to transmit to this office the Address from the House of Assembly to my immediate predecessor, the Earl of Aberdeen, notwithstanding your doubts respecting the regularity of such a method of communication between one branch of the Legislature and the Executive Government. While concurring with you in opinion, that the House ought according to established forms to have addressed themselves either to the King or to His Majesty's Representative in the Colony, I should yet have deeply regretted the refusal to receive a communication from the Assembly, on a subject of so much importance to their constituents, in any form which the House had thought it most convenient to adopt. My regret would, in the present case, have been enhanced by observing the moderation and calmness with which the Assembly have on this occasion discussed several questions upon which some degree of excitement might not unreasonably have been apprehended. It is my desire to meet that body in the same amicable and respectful spirit, following the various topics to which they have adverted in the order pursued by themselves; although by this method, I may be led to blend together questions which might perhaps more conveniently be considered apart.

The address from His Majesty's coloured and black subjects in Barbadoes, enclosed in your Despatch of the 27th April, affords sufficient proof that the distinctions which the Bridge Town Police Bill established between votes upon the old and on the new qualification, is regarded by the King's subjects of African descent, as an injurious attempt to perpetuate indirectly one of those distinctions, referable to African and European descent, which by the language of the general law might seem to have been for ever abolished. The Assembly refer to Lord Aberdeen's Despatch of the 10th of January, as vindicating this enactment. I do not so understand my predecessor's language. He states himself "not to be insensible to the force of the objection, although not thinking that it ought to be conclusive against the Act itself;" and while acknowledging that the arguments in favour of the distinction are not without weight, Lord Aberdeen has not declared that weight sufficient to counterbalance the difficulties to which he adverted. The circumstance that the persons immediately affected by the distinction regard it with serious discontent, appears to me

me to be well deserving of consideration, in a case where the arguments for and against the measure might otherwise seem to have been of nearly equal value. The impolicy of keeping alive jealousies, by which the whole proprietary body of the Island are distracted and enfeebled, is so obvious, that I trust the local Legislature will perceive the prudence of equalizing at once the qualification of all voters for parochial vestries, in favour of all persons to whom that franchise belongs. Not doubting the accuracy of the opinion maintained by the Assembly, that the distinction exists only in the text and theory of the law, and that practically the coloured inhabitants of Bridge Town are treated by the white vestrymen with a perfect equality in the distribution of the patronage at their disposal; it seems to me that this fact affords one of the strongest possible arguments for the proposed amendment. Whatever might be the injustice or impolicy of incurring the discontent of the majority of the whole population, with a view to some definite advantage accruing to the minority, that course of proceeding was at least intelligible; but to incur such an evil gratuitously, and without any compensation, except in the pleasure which may be drawn from the barren assertion of superior rank, is to depart from the first and clearest maxims of enlightened legislation.

To Lord Aberdeen's objection to fettering the authority of the Governor in the appointment of the town magistrates, by requiring on every such occasion the consent of the Council of the Island, the House of Assembly make several distinct answers. They observe, that the right of appointing magistrates has never hitherto been claimed for the Governor alone, but that the concurrence of the Council has always been required by the King's instructions; and that therefore an Act by which the Council should have been excluded from their share in this duty, would have been repugnant at once to the usages of the Colony and to the Royal instructions.

It is not, I apprehend, to be denied, that His Majesty and His Royal Predecessors were in former times accustomed to restrain the exercise by the Governor of this branch of the Royal prerogative, by requiring that he should always advise with the Council as to the persons to be included in the commission of the peace; but with the abolition of slavery arrived a new era, which demanded some corresponding changes in the delegation of His Majesty's prerogatives; and on the advice of the Earl of Aberdeen, the King was pleased to alter that part of His Majesty's instructions to which the House of Assembly have referred. If any argument were required to vindicate this change, it might be found in the fact reported by yourself, that the Council had not been content with exercising a veto upon your own proposals respecting the appointments to the magistracy, but had, in opposition to your declared will, appointed two gentlemen to that office by the majority of their votes.

The House next insist that the advice of the Council is necessary to enable the Governor to make a judicious selection of magistrates, he being generally a stranger to the country on his arrival, and remaining there but for a few years, and they belonging to the resident aristocracy of the Island, and intimately acquainted with the characters and qualifications of all the principal inhabitants. It must be acknowledged that the Governor of Barbadoes will generally be surpassed by the members of Council in the exactness of his knowledge of individual candidates for the magistracy: on the other hand, he will still more decidedly excel the members of that Board in freedom from all party bias and personal predilections or antipathies. In so small a society it is impossible but that there must always be great scope for the exercise of those feelings, and a powerful temptation to indulge in them. If the question respected merely the necessity of advising with the Council before any appointment were made, I should not hesitate to admit the expediency of adopting that course. But when, as on the present occasion, the proposal is to give to the Council, or a majority of them, an effective veto on the Governor's nominations, if not the right of appointing magistrates in opposition to his will, I cannot advise His Majesty to assent to a scheme of which the necessary effect would be to secure to the majority of the Council, and their friends, an uncontrolled influence over the administration of the law in the large civic population of Bridge Town.

The Assembly further maintain that the interposition of the Council in the choice of magistrates, is consonant with the usage and constitution of this kingdom; and they refer to two statutes of Henry 5, and Geo. 3; in the first

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of which it is enacted, that in England, justices of the peace shall be appointed by the advice of the Chancellor and the King's Council; and by the second of which the King is authorized to appoint a barrister to execute the office of at justice of the peace in the county palatine of Lancaster, if the appointmen shall be made with the advice of the Lord Chancellor and the Privy Council.

The inference to be drawn from these statutes is, that in common with every other exercise of the Royal authority, the appointment of justices of the peace must be made upon the advice of some responsible Minister of the Crown. Such commissions are accordingly always issued in England on the recommendation of the Chancellor or Keeper of the Great Seal. In pursuing this analogy in Barbadoes, we shall, I think, be led to the conclusion that justices should be appointed by the Governor, who has the custody of the public seal of the Island, and who acts under an effective responsibility for the use which he may make of his powers. To confide this trust to the councillors, who are virtually irresponsible, would be to depart from the principle which these English precedents establish or recognize.

For these reasons I adhere to the opinion of my predecessor; and you will acquaint the Assembly, that the confirmation of the Bridge Town Police Act by the King, will depend upon their making the amendments required by Lord Aberdeen.

Passing to the subject of the Rural Police Bill, I am happy to learn from your Despatch that the alarm entertained by the Assembly respecting the possible consequences of the disallowance of that law was so effectually quieted by the result; and that, although for four weeks together there was no Rural Police Act in force, the business of the estates had proceeded as usual, and that the general peace had not been anywhere disturbed. The illustrations which you have given of the mischiefs produced by the disallowed Act while it was in force, are a sufficient justification of the rejection of it on Lord Aberdeen's advice, and afford a sufficient warning against the acceptance by His Majesty of any other law substantially co-incident with the former. It is however my duty to advert to the arguments by which the House of Assembly would controvert Lord Aberdeen's conclusions on this subject.

It is observed that the Government of a small colony cannot be reduced into an exact epitome of that which exists in a great European kingdom; and that some duties which in England are performed by the responsible Ministers of the Crown, must in Barbadoes devolve on the representatives of the people. Thus for nearly 130 years past a joint committee of the Council and Assembly has managed the public accounts; and for nearly the same period the fortifications of the Island, the Molehead and the Town-hall, have been placed under a similar management. This system has, it is said, tended to promote good government, frugality and general content; and hence the inference is drawn, that the rural police of the Island may advantageously be governed by a similar commission.

I am quite prepared to accede to the general doctr ne, that a perfect parallelism between the British and the Colonial constitution is impossible, and even absurd. Nothing further than as close an adherence to the same general principles, and the same forms of proceeding, as the different circumstances of the two cases may admit, could be reasonably required. Now, in the cases to which the Assembly refer, all or most of the British Colonies possessing Legislative Assemblies, in the West Indies, have deviated from the English model as widely as Barbadoes itself, and upon precisely the same grounds. The duties appropriate to the Lords of the Treasury, the Auditors of Public Accounts and some of the Revenue Boards, in this kingdom, could not be performed in those Islands if left in charge of the executive Government. The representatives of the people have judiciously qualified their grants of public money, by reserving to themselves and to the Council such a joint control over the collection and expenditure of it, as is necessary to prevent fraud, improvidence and other abuses. If, therefore, the Assembly had maintained, that whatever relates to the cost of the police settlements, the charge of purchasing arms, clothing and rations for the police, and the erection and repair of station-houses, goals and other buildings of the same kind, ought to be under the control of the committee of public accounts, I should have cheerfully assented to the propriety of that measure; nor do I believe that any objection would ever have been raised

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to it by my predecessor in office. But precedents which show that the constitutional jealousy of the House over the revenue has led them to assert, and has induced His Majesty's Royal Predecessors to admit, the right of controlling the outlay of public money by a legislative commission, do not, I apprehend, tend to establish the propriety of transferring to such a commission a function so purely administrative as is that of appointing and removing all the officers of police, and of directing and receiving reports on their proceedings. It might be invidious, though certainly not difficult, to show the mischiefs which must result from such an encroachment; and the obligation incumbent on the King, for the benefit of His subjects of every class, and for the reasonable satisfaction of the people of this kingdom, to maintain His local Representative in the full and unimpaired exercise of that legitimate branch of the Royal authority which relates to the execution of the laws for the government and protection of apprenticed labourers. This is a trust which Parliament has devolved upon the King, and those to whom His Majesty's power is delegated in the Colonies; nor can it be properly surrendered into the hands of any other persons, however high their station in the colonial society.

The Assembly frankly admit that the Act which was disallowed by His Majesty in Council did reserve to themselves, in their quality of commissioners, too exclusive a power over the police; but they maintain that the Bill which they subsequently tendered for your acceptance was not obnoxious to this objection, but was framed upon the model of the Police Act of Jamaica, which they observe had been recommended by Lord Stanley to the Colonies for general adoption. On comparing with the Act of Jamaica, to which reference is thus made, the Bill tendered for your acceptance by the Council and Assembly of Barbadoes, the distinctions will appear neither few nor immaterial. But for other reasons, to which the Assembly do not advert, the value of the Jamaica precedent, and the application of Lord Stanley's opinion to the present case, may be denied. His Lordship referred to that statute not as being in itself either perfect or unobjectionable in its provisions; but as a proof that it was not a mere theory, but a practicable scheme, to establish in a West India Island internal settlements, which being themselves placed under military discipline, should support the authority of the civil Government. But when Lord Stanley expanded this plan, in the Order in Council passed for giving effect to the Slavery Abolition Act in the Crown Colonies, he proposed to place the police under the exclusive control of the Governor. The law of Jamaica, also, was never in point of fact carried into execution. On the abolition of slavery, the Legislature of that Island created a police force, of which they gave the entire command to the Governor for the time being. Barbadoes is the single Colony in which this trust has been withholden from His Majesty's Representative. I am aware of no reason why it should constitute an exception to the general rule: I therefore approve your refusal to assent to a Bill by which that exception would have been established.

It is my earnest hope that the Assembly will pass a Police Bill co-existent with the duration of the apprenticeship system, to which no fatal objection can be made; for until that part of the regulations for the government and protection of the apprenticed labourers has been completed, His Majesty in Council will not be able to declare that the Colonial Legislature have fulfilled the conditions upon which, by the 16th and 44th sections of the Slavery Abolition Act, the right of their constituents to participate in the compensation fund must depend.

The Act for the temporary establishment of a rural police does not appear open to any objection, nor do I perceive why it should not be taken as the basis of a permanent measure.

I have, &c.

(signed) *Glenelg.*

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— No. 87. —

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir, George Town, Demerara, 29 June 1833.

No. 87. THE mail boat arrived from Barbadoes yesterday, and by her I had the honour to receive your Circular Despatch of the 20th May last. When the signal for the mail was made, I was actually at the moment employed in correcting the proof sheet of an Address which I deemed it advisable to circulate amongst the slave population, with a view to calm and allay all excitement which the publication of the Resolutions, as proposed by you in the House of Commons on the 14th ultimo, without any explanation or comment, might be expected to produce. It afforded me very great satisfaction to find upon reading your Circular, as already quoted, that I had, to a certain degree, even anticipated your language and expressions upon the subject. I beg to enclose a copy of my Address to the Slaves, the publication of which will I trust be attended with the best effects.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 87.

Enclosure in No 87.

Proclamation and Address to the Slave Population of British Guiana.

(L.S.)—By His Excellency Major-general Sir *James Carmichael Smyth*, Bart., Lieutenant-Governor, &c. &c. &c.

I was only sworn yesterday into the high and important office which His Majesty has thought proper to entrust into my hands; and you may judge yourselves, by my losing so little time in addressing you after my arrival, of the value I attach to your welfare and happiness.

You are all of you aware that it is the intention of the King and of the people of England, that your situations shall be improved: what those improvements may be are as yet under consideration. You may rely upon my word that, whatever orders concerning you are received by me, they shall forthwith be made known to you; and it will be my duty to carry those orders punctually into execution. I wish to warn you, however, against all impatience, disobedience to your masters, absence from your duties, insubordination, rioting, or illegally assembling. The peace and tranquillity of the country must be maintained; and if you adopt any other conduct than that which becomes peaceable and obedient subjects, you will compel me, however unwillingly, to employ force to uphold the existing laws. Remain quietly and peaceably, therefore, at your several employments, and you may rely with confidence upon my communicating to you whatever changes may be ordered from England for your advantage.

I have been told that some foolish people amongst you imagine they are to be made free altogether; by which they understand that they are not to be required to perform any more work. Be assured, my friends, that this is a very great mistake, and which can only lead to discontent and disappointment. Every man in this world is required to work in some way or other; and by the command of the Almighty Father of us all, we must all and each of us acquire our bread with the sweat of our brow. In what manner it may be decided that your situations shall be improved, no person in this Colony can at present truly tell you. Be assured, however, that moderate labour will be expected and exacted from every one.

I trust that you will seriously consider and reflect on what I have said, and conduct yourselves accordingly. Your old people must see the great changes and improvements which have been effected within a few years in the state of the slaves. Do not you, by impatience and improper conduct, force His Majesty's Government to go backwards instead of forwards, in regulating the connexion and the nature of the duties to be severally performed by your masters and yourselves.

It is my intention, as soon as I can find sufficient leisure, to visit every part of this Colony; and it will afford me the greatest pleasure to find you all happily and busily employed at the different estates, and to hear from your own lips that, whatever improvements you in your several situations may be desirous to obtain, yet that you are convinced that it is only by your good conduct you can expect to induce the King and the people of England to take further interest in your welfare.

Given under my hand and seal, at the King's House, George Town, Demerara, this 27th day of June 1833, and in the fourth year of His Majesty's reign.—God save the King.

— No. 88. —

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No. 88.

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir, Demerara, 24 July 1833.

In my despatch of the 29th ultimo, I did myself the honour of forwarding to you a copy of an Address which I deemed it my duty to cause to be circulated amongst the slave population of British Guiana. I am happy to say that I have received from the magistrates, the clergymen, and from many of the proprietors of the most valuable of the estates, the most satisfactory reports of the effect of that Address, and of the quiet, orderly and peaceable demeanour of the slaves throughout the whole of this extensive and truly magnificent Colony.

I beg now to report to you, that the packet conveying to me your Circular of the 13th June, together with the copy of the Resolutions of the House of Commons of the preceding day, having had most fortunately a remarkably quick passage, I was put in possession of the Resolutions in question, as also of your instructions, previously to the circulation of the Resolutions in the Colony. After having given the subject my best consideration, I determined to avail myself of this fortuitous circumstance, and to endeavour, by at once communicating to the inhabitants not only the Resolutions of the House of Commons (which they would have seen in the newspapers in a few days), but the ulterior views of His Majesty's Ministers, and the extent and variety of details which would be left to the local Legislatures, to acquire their confidence, and to show them, with as little delay as possible, that the great and important change about to be effected would not be attended with that loss and injury to their estates which they were apprehensive of. My great motive was to do away all excitement and irritation, or at any rate to subdue feelings of such a description as much as possible. Influenced by the reasons I have detailed, I caused your Circular of the 13th June, and the Resolutions of the House of Commons of the 12th June, to be printed and circulated in the Colony, accompanied by a few observations. This measure has, I am truly happy to say, had every effect I could have wished for. A deputation of four of the wealthiest and largest landholders in this Colony waited upon me, in their own names and in the names of all their friends, to say that, although it was impossible for them to approve of the change about to take place, yet that they could assure me that I should receive from them every assistance and co-operation in bringing about that change with tranquillity. One of the gentlemen I have alluded to has a plan for continuing to work his estate by paying the negroes with a proportion of the produce, and which proportion he proposes should be subdivided amongst the negroes according to their diligence and activity, the negroes themselves deciding upon the claims and merit of each other. It is evident that a plan of this description can only as yet be in its infancy; and I should not have alluded to it, but with a view of showing that, the minds of the principal landholders being seriously applied to the subject, and to the necessity of making such arrangements as will enable them to carry on the business of their estates, the minor details, it may fairly be expected, will not present any very serious difficulties, and we may ultimately look to a free and cheerful labouring population; and which change, as far as I can judge as yet, has every chance of being effected without any convulsion or commotion. On such a subject it is of course impossible to speak with certainty. As yet, however, I see no cause for apprehension; and if the masters continue to exhibit the same moderation, and the slaves place the same confidence in the Government which they have hitherto manifested, the arrangements will be completed with very little difficulty.

There is to be a public meeting in a few days of the inhabitants, with a view of passing resolutions expressive of their determination to afford every aid and assistance to His Majesty's Government in preserving the peace of the country, and in bringing about the change in the situation of the slaves without endangering the public tranquillity. It is also proposed to insert in the resolutions the greater comparative value of the slave to his master in this Colony than on the Islands, from the greater quantity of valuable produce he is capable of bringing to market, and to express a hope that, in apportioning the

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money to be given by the mother country to slaveholders, the greater value of a slave in British Guiana will not be lost sight of. As those resolutions are, I understand, to be forwarded to me with a view of their being transmitted to you, I will not trespass upon your time with any further remarks at the present moment: in transmitting the resolutions, I shall have an opportunity of drawing your attention to such particular points as may occur to me. Upon the whole, I may venture to congratulate you upon the way in which the Resolutions of the House of Commons of the 12th June have been received in this Colony.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 88.

Government Notice.

Enclosure in in No. 88.

His Excellency the Lieutenant-governor has thought proper to direct that the following circular Despatch, dated the 13th ultimo, which he has had the honour to receive from the Right honourable Edward G. Stanley, His Majesty's Secretary of State for the Colonies, together with a copy of the Resolutions of the House of Commons of the preceding day, therein alluded to, should be published without delay in the Royal Gazette, for the general information of the inhabitants of British Guiana.

In thus frankly and openly communicating to the inhabitants without reserve, not only the whole of the details of the proposed changes respecting the slaves, which have been determined upon by His Majesty's Ministers, but also the arrangements contemplated for carrying those measures into execution, the Lieutenant-governor has been influenced by two motives. In the first place, his Excellency is anxious to prevent the circulation of all garbled extracts (which might be transmitted here from other Colonies), and which could only produce unnecessary excitement and alarm; and because, in the second place, he is confident that the liberal and prudent measures as advocated and proposed by His Majesty's Ministers will, when once distinctly understood, be duly appreciated by the generality of the inhabitants of British Guiana, and be met by a corresponding desire and anxiety on their part to do all in their power to preserve the public tranquillity, and to contribute their aid in effecting those changes, (which every one must be aware are so decidedly inevitable,) with the least possible inconvenience and loss to all individuals concerned.

The Lieutenant-governor has directed it should be stated, in conclusion, that he confidently relies not only upon the superior talent and information which he has witnessed with so much pleasure in this Colony, on the great wealth and immense interests at stake; but above all, upon that spirit of moderation and good sense which has so strongly characterized the proceedings of the inhabitants of British Guiana, with respect to this most momentous question, to enable him to carry all the details into execution with the concurrence, co-operation and assistance of all ranks

By Order,

King's House, British Guiana, 18 July 1833.

(signed) *T. C. Hammill,*
Assistant Government Secretary.

— No. 89. —

Extract of a DESPATCH from Major-General Sir *J. Carmichael Smyth* to the Right Hon. *E. G. Stanley*, dated Camp House, Demerara, 6 Aug. 1833.

No. 89.

I have great pleasure in being able to report to you that the most perfect tranquillity not only prevails throughout the whole of British Guiana, but that the minds of the great majority of the inhabitants seem to be completely made up as to the propriety, policy, and I may add, the necessity, of cordially co-operating with His Majesty's Government in bringing about the great change without endangering the peace of the country. I beg leave to lay before you a copy of an Address which I have received from the planters, merchants and inhabitants of Berbice, declaratory of the foregoing sentiments, together with my Reply; a copy of an Address and of certain Resolutions, adopted at the fullest meeting ever known in this town, of the landholders, planters and others, from all parts of British Guiana, assembled under the name of the Agricultural Society, as also of my Reply; and finally, I beg to draw your attention

(A.)
(B.)
(C.)
(D.)

attention to the enclosed copy of an Address which I delivered to the Court of Policy, and caused to be entered upon the record of their proceedings, together with the very able and full Minutes of the court upon the subject of my address. The perusal of these documents, but particularly of the two last, will not only place you in possession of the sentiments of the great majority of the inhabitants, but will also show you the steps I have adopted, and the measures I contemplate, as being in my opinion the best calculated for carrying with the least delay the orders of His Majesty's Government into effect. (E.) (F.)

Without the confidence and the cordial co-operation of the great and influential landholders, I conceive it to be morally impossible that in this extensive and populous Colony, the views of His Majesty's Government can be beneficially carried into effect. There is here fortunately so much more intelligence to be met with, the class of landholders is so superior in talent and in education to proprietors throughout the Islands generally, that I am induced to hope and to believe that my task will not be so very difficult. I have as yet experienced the most ready attention to every suggestion which I have felt it my duty to offer, from every proprietor.

The fifth Resolution of the House of Commons, as agreed to on the 12th June, authorizes His Majesty to establish an efficient stipendiary magistracy in the Colonies. To this Resolution I beg most respectfully and earnestly to draw your attention. In many of the Colonies, where obstinacy, ill-will and a dogged perseverance in ill treating their slaves to the last, have been but too plainly manifested, a rigid system of a stipendiary magistracy, to guard against a re-action on the part of the slave when liberated from the despotic power of his former master, as also to compel that master to treat his former slave according to the civil rights of his new situation, can hardly be dispensed with. But in this wealthy and intelligent community every aid is proffered and promised in giving effect to the wishes of Government. The proprietors of the great estates in this Colony have too much at stake not to be anxious for a speedy and permanent arrangement of the details of the measures in contemplation. Under these circumstances, and looking beyond the difficulties of the moment, it appears to me that a sound policy requires that everything should be done to encourage a kind feeling between the proprietor of the soil and the labourer; and that the future happiness of both, as well as the future cultivation of the estates, and the consequent prosperity of the Colony, depend principally upon the extent of that good feeling to which I have alluded. In this view of the subject, I am anxious to induce all the resident proprietors and gentlemen of influence and independent property to take an active share in the magistracy. Our present system of magistracy, or rather of police, is wretched, and only calculated for a state of slavery. My idea is that the districts of Demerara, Essequibo, and of Berbice, should be subdivided into counties, and that to each county a deputy lieutenant should be appointed, who would have to report to the lieutenant of the district. The counties being formed of so many parishes as local circumstances may require, would require one justice of the peace or magistrate for each parish. I should recommend that the present system of fiscals, deputy fiscals, and burgher officers, together with the arbitrary power they possess, should be entirely done away with. The justices of the peace ought not to have the power of inflicting corporal punishment, excepting under very aggravated circumstances; and then only after an open trial, and the sentence having been made known, and the minutes of the proceedings of the bench having been submitted to the deputy lieutenant in whose county the parish where the offence was committed may be situated. You will observe that in my address to the Court of Policy, I have proposed the appointment of a select committee, as the most convenient mode of bringing the various details connected with the measures I propose before the court, with a view of hereafter framing such a Bill as may meet with His Majesty's approbation.

I hope the line of conduct I have pursued, and the measures I have adopted, will meet with your approbation. When the present crisis has passed away, and the prosperity of these provinces no longer depends upon the adventitious aid of slavery, it is impossible to predict to what an unrivalled height of prosperity they may attain. At this moment British Guiana finds employment annually for 7,500 British seamen, and for 120,000 tons of British shipping.

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Enclosure (A.) in No. 89.

Enclosure (A.) in No. 89.

TO His Excellency Major-General Sir *James Carmichael Smyth*, Bart., C.B., K.G.O., K.M.T., K.S.W., &c.

May it please Your Excellency,

We, the undersigned planters, merchants and other inhabitants of the district of Berbice, beg to offer to your Excellency our sincere congratulations on your recent appointment to the government of this Colony, and to express the high sense we entertain of the frankness and candour with which your Excellency has been pleased to give publicity to the communications from His Majesty's Government. In particular, we have to thank your Excellency for the Government Notice of the 18th instant, communicating the circular Despatch from His Majesty's Secretary of State for the Colonies, of the 13th June, and the Resolutions of the House of Commons for the Abolition of Colonial Slavery. We will not conceal from your Excellency the deep anxiety and fearful doubts with which we contemplate the momentous changes about to take place in the Colonial system; but convinced that these changes are inevitable, and that our property and very existence as a civilized society depend upon their successful result, we beg to assure your Excellency that we will most cordially concur and co-operate by every means in our power, with your Excellency and His Majesty's Government, in giving effect to all such measures as may be deemed necessary in pursuance of the Resolutions of the House of Commons, for the preservation of the public tranquillity, the security of property, and the welfare of all classes of the community; confidently relying on the justice of His Majesty's Government, and our fellow subjects in the mother country, should all our efforts to meet their wishes fail of success, to award us full and just compensation for all the losses we shall in such event have sustained.

With assurances of the highest respect, we have the honour to subscribe ourselves,

Your Excellency's

Berbice, 27 July 1833. most obedient humble servants,

(Here follows a long list of signatures of the principal Inhabitants.)

Enclosure (B.) in No. 89.

Enclosure (B.) in No. 89.

Gentlemen, Camp House, 5 August 1833.

I have listened to your address with very great satisfaction. The assurance of so respectable a body of planters, merchants and inhabitants, that they will most cordially concur and co-operate by every means in their power in giving effect to all such measures as may be deemed necessary (in pursuance to the Resolutions of the House of Commons) for the preservation of the public tranquillity, the security of property, and the welfare of all classes of the community, could not be otherwise to me than extremely gratifying. The good sense and the moderation evinced by the inhabitants of the district of Berbice are in unison with the temper and spirit which, I have every reason to believe, prevail throughout the whole of British Guiana. Such conduct will doubtless be duly appreciated by His Majesty's Government; and the confidence with which you state you rely on the justice of His Majesty's Government and your fellow subjects in the mother country, will, I may venture to assure you, not be disappointed.

I beg to return you my thanks for the flattering expressions you have made use of with respect to myself individually.

To the Planters, Merchants and Inhabitants of the District of Berbice. (signed) *J. Carmichael Smyth.*

Enclosure (C.) in No. 89.

Enclosure (C.) in No. 89.

Sir, George Town, 7 August 1833.

We have the honour to wait upon your Excellency with the resolutions entered into yesterday by the Agricultural Society of Demerara and Essequibo.

We beg leave to express, in behalf of this society, how deeply we are impressed with a sense of your Excellency's candour, in giving publicity to your Despatches in this important matter connected with the subject of these resolutions.

We have been gratified in learning the sentiments entertained by your Excellency towards the inhabitants of this Colony, who look to the future with a degree of confidence inspired by the deep interest which you have evinced for their welfare at the commencement of your administration.

On the present occasion we should be wanting in candour were we not to express to your Excellency that, although the resolutions are silent on the subject of the feeling which may pervade the community, if any other principle be adopted of dividing the compensation awarded by Parliament than that propounded by the Right honourable the Secretary for the Colonies, we cannot but dread the consequences of such a measure, and

we

we justly fear it may engender feelings at variance with the unanimity which it is so essential to secure, and which we are certain will prevail if the just principle of division already laid down be strictly adhered to.

We have, &c.
(signed) *N. M. Manget.*
G. Warren.

To His Excellency
Major-General Sir James Carmichael Smyth,
Lieutenant-Governor, &c. &c. &c.

Enclosure (D.) in No. 89.

Enclosure (D.) in No. 89.

AT a General Meeting of the Agricultural Society of Demerara and Essequibo, called by public advertisement, for the purpose of taking into consideration the "Government Notice" of His Excellency the Lieutenant-Governor, published in the Royal Gazette of 18 July last, held at the Demerara Spa, Cumingsburg, 6 August 1833;

Present,
N. M. Manget, Esq. Chairman.
George Warren, Esq., Deputy Chairman.
Alexander Macrae, Esq., Treasurer.
Andrew Gallaway, Esq., Acting Secretary.
The Honourable John Croal.
— George Rainy.
— J. G. Reid.

J. H. Albany,		H. Halket,	
Joseph Alleyne,		Andrew Jackson,	
W. Arrindell,		J. Koert,	
U. J. F. Back,		J. A. D. Koolhaas,	
Thomas Barry,		Jacobus Meerlens,	
Charles Bean,		W. M. Keand,	
Joseph Beele, sen.		John M'Lean,	
Charles Benjamin,		Hugh M'Leod,	
Edward Bishop,		Henry Montameux,	
Thomas Blake,		J. V. Nedderman,	
J. Bryden,	Esquires.	W. Rankin,	Esquires.
J. F. Boode,		C. Revers,	
L. Breàa,		Hugh Rogers,	
Edw. Bunbury,		Jos. Sievwright,	
R. G. Butts,		Alexander Simpson,	
Donald Campbell,		C. Spencer,	
John Evans,		W. Urquhart,	
L. Fitzgerald,		A. N. Walstab,	
Wm. Fraser,		R. Waterton,	
A. Garnett,		A. Wishart,	
J. J. Gilgeoris,			

It was Resolved,

1. That it is the opinion of the members of this society, that the "Government Notice" published by his Excellency the Lieutenant-governor, in the Royal Gazette of the 18th July last, accompanied by a circular Despatch from the Right honourable Secretary for the Colonies, together with the Resolutions for the Abolition of Colonial Slavery, agreed to by the House of Commons on the 12th June 1833, and subsequently by the House of Lords, appears to be intended to draw forth an expression of the sentiments entertained by the colonists on this momentous subject: This society, comprising the greatest portion of the resident proprietors and of the representatives of absent proprietors of estates in this Colony, deem it advisable to meet the wishes of His Majesty's Ministers by an expression of their sentiments accordingly.

2. That, however much our experience leads us to dread the peril incident to so sudden and premature a change in the existing relations of master and servant, and the fatal embarrassments consequent upon its failure, we nevertheless, placing implicit confidence in the declarations of the British Government, and relying on the wisdom of the local Legislature to organize the details applicable to this Colony, of this great national experiment, so as to render the chance of the future beneficial cultivation of the soil as little hazardous as possible to the planter, will cordially co-operate in the endeavour to bring the contemplated measures to a safe and happy result.

3. That thus co-operating to the utmost of our ability in the advancement of this great national experiment, we rely on the justice of Parliament, and on the national honour, for full and entire compensation for any ulterior loss or deterioration of property which may attend its failure.

4. That the extent, fertility and varied productions of this important Colony, encouraged as its agriculture has been, formerly by Dutch and latterly by British capital, advanced to an immense amount on national faith and on the authority of Parliament, call for the especial care and protection of His Majesty's Government; the value of its exports, and the

BRITISH GUIANA.

tonnage and seamen employed in its trade, far exceeding, in proportion to its population, anything recorded in the history of ancient or modern colonies.

5. That the money voted by Parliament towards a compensation for the immediate loss of property, can only, in justice to such a colony, be distributed in the fair ratio propounded by Mr. Secretary Stanley in Parliament.

6. That it has become the more necessary to press without delay the justice of this claim, in consequence of intelligence lately received of the attempts of the proprietary bodies of Jamaica and Barbadoes, resident in England, to advocate a principle of division inconsistent with the ratio laid down; which principle, if carried into practice, would have the effect, in some Islands, of giving a premium on the total value of slaves and landed property; in others, of a compensation far exceeding the proportion of the value of property abstracted or infringed upon; but in this Colony would be totally subversive of the rights of property, as dealing out a modicum, under the name of compensation, for the abstraction of value invested in land, buildings, machinery and cultivation, exceeding, in proportion to population, the amount of invested capital in any other possession of the British Crown.

7. That the compensation awarded by Parliament for the loss of property which it is admitted the colonists must sustain, even at the commencement of the contemplated changes, should be paid to the proprietors without any delay, in order to enable them to give the plan a fair trial.

8. That his Excellency the Lieutenant-governor, and the honourable Court of Policy, be most respectfully requested to take into consideration the propriety of submitting to His Majesty's Government a proposal, that in addition to the compensation, there be granted to this Colony a loan of two millions and a half sterling, bearing four per cent. interest, with one per cent. additional as a sinking fund, to be secured upon the colonial revenue. Such loan would be highly beneficial to the colonial interests, and would tend to prevent an accumulation of distress, which the proposed partial compensation, in its most enlarged application, will be sufficient to arrest.

9. That the restraints upon labour, and the diminished production of the British West India Colonies, which must necessarily ensue, will enhance the profit upon the productions of foreign colonies still carrying on the slave trade. The British planter has therefore, under new disadvantages, to compete with foreign possessions; and unless afforded the salutary protection of Parliament in the home market, it is to be feared the total ruin of the British West Indies will eventually take place.

10. That a deputation, consisting of the chairman and deputy chairman of this society, do wait upon his Excellency the Lieutenant-governor, with a copy of these resolutions, and a request that he will forward the same to His Majesty's Government, with an assurance that the members of this society will cheerfully undertake such duties, connected with carrying into effect the new arrangements, as His Majesty may call upon them to fulfil.

11. That the chairman of this society do sign these resolutions, for and in behalf of the members of the Agricultural Society of Demerara and Essequibo.

(signed) *N. M. Manget*, Chairman.
And^w Gallaway, Acting Sec.

Gentlemen, Camp House, 7 August 1833.

I SHALL have great pleasure in transmitting to His Majesty's Government the Resolutions of the Agricultural Society of Demerara and Essequibo.

The moderation and temper with which the decision of the Imperial Parliament, with respect to the important change in the state of the labouring class, has been received in British Guiana by the great body of the landed proprietors, must for ever redound to their credit, and cannot fail to be highly acceptable to His Majesty, his Ministers, and to the mother country at large. The line of conduct thus judiciously adopted removes all ground of latent hostility, with feelings of asperity, from the minds of the working population. I trust and hope that when the master and the slave assume their new relative situations, when the moment does arrive that the landlord and the tenant, the owner of the soil and the labourer, have to enter upon their several duties, that on the one side as there will be no ill-will towards their late slaves, so on the other there will be no wilful negligence or insulting language or conduct towards their late masters. With your support and co-operation, my task, under any circumstances which may eventually arise, will however be comparatively easy.

Allow me to return you my best thanks for the very courteous and flattering manner in which you have been pleased to express yourselves with respect to my conduct. I can assure you with the most perfect sincerity that I have no object more at heart than to see this great change effected, not only without any immediate collision, but upon such sound principles as may prevent all future disputes, and afford to you every rational prospect of converting your present slaves into a contented, an attached and an industrious population.

(signed) *J. Carmichael Smyth.*

To N. M. Manget and G. Warren, Esquires.

Enclosure (E.) in No. 89.

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Enclosure (E.) in No. 80.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its Ordinary Assembly, held at the Colony House, George Town, Demerara.

Present,

His Excellency Major-general Sir J. C. Smyth, Bart., Lieutenant-governor, &c. &c. &c.; His Honour Charles Herbert, 1st Fiscal; His Honour George Bagot, 2d Fiscal; the Honourable E. H. Gibbon, Acting Protector of Slaves; and the Honourable Members, John Croal, John G. Reid, George Rainy.—Dempto, his Honour Charles Wray, Chief Justice.

Saturday, 3 August 1833.

(After Prayers.)

His Excellency the Lieutenant-governor then, with reference to the conversation he had with the Members yesterday, read the following Address to the Court:—

(F. I.)

Gentlemen,

I WISH to lay before you and to have entered upon the records of this Court, the Despatch of the Right honourable Edward G. Stanley, dated the 13th of June, giving cover to the Resolutions of the House of Commons of the 12th of the same month. I was induced, by the reasons as explained in the Government Notice of the 18th ultimo, to direct that these documents should be made public without delay.

I now propose that they should be entered upon the records of this Court, for the convenience of reference.

2. In the furtherance of the orders of Government, I have already called upon his honour the Chief Justice, assisted by the Puisne Judges, to lose no time in undertaking an investigation, and in making to me a report, as to what alterations will be requisite in our colonial code, and what particular laws or ordinances will have to be revised, in consequence of the expected immediate change in the state of society in this Colony. This report, when completed, I shall direct to be laid upon this table, and it will materially assist us in our future deliberations upon the subject.

3. With a view of collecting, with as little delay as possible, the detailed information which we will require to enable us to adopt a system of police in unison with what will shortly be the state of this community, I beg to suggest that a select committee of this Court be forthwith appointed, with power to send for and to examine all persons and documents they may require, for the purpose of making a careful report upon our present existing police system, upon the power and authority as severally exercised by the fiscals, the deputy fiscals, the burger officers and the civil magistrates; and of reporting whether in their opinion the present system may or may not, by a series of additional enactments, and by augmenting the number of deputy fiscals, be so improved and amended as to be made applicable to the present contingency; or whether it may not be more advisable to reconstruct the whole edifice, adopting a modified plan of that followed by the mother country. We have within ourselves, I am happy to be able to say without fear of contradiction, the materials to form as upright, independent and intelligent a magistracy as in any part of the King's dominions. If the great landed proprietors and gentlemen of the most considerable wealth and influence in the country will step forward and take an active share of the magisterial duties, as is done in England, they will render a most important and essential service to the community.

In the hope that this idea may be realized, I should be disposed to recommend a complete revision of our system, and the adoption of the English plan (modified of course according to local circumstances) of lieutenants and deputy lieutenants of counties or districts, of justices of the peace in the parishes.

A subordinate constabulary system might be formed by employing and paying the principal negroes. I merely suggest these measures as being matters for the committee to consider and report upon. A temperate discussion of the subject, after we are in possession of all the necessary information, will enable us to form a correct opinion.

4. If this Court agrees to my suggestion of appointing a committee, I beg also to recommend that it should be further enjoined to the committee to consider and report upon the number of parish schoolmasters which will be required, and of the probable expense of establishing a school in each parish. The educating the young people of both sexes is a very important feature in the new system about to be introduced, and on this head there appears to be no doubt but that we will be liberally assisted by the mother country.

Information as to the extent of the assistance we may require, it will of course be advisable to be in possession of, with as little delay as possible.

5. Until we hear farther from home I do not propose any additional measures, nor do I consider that any steps beyond those I have alluded to would be at present either prudent or advisable.

If any important orders should be received by me after the prorogation of this Court, I shall forthwith convene an extraordinary meeting.

3 August 1833. (signed) *J. Carmichael Smyth.*

And at the same time laid over with the Address, the circular Despatch, dated the 13th June last, of the Right honourable the Secretary of State for the Colonies, together with the

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the Resolutions of the House of Commons, dated 12th June, and referred to in his Excellency's Address.

(F. I.)

The Court, after returning its thanks to his Excellency the Lieutenant-governor, for the communication he had been pleased to honour it with, ordered that the Address and papers be entered on the Minutes of this day; and at the same time assuring his Excellency that, after the frank and candid avowal of his sentiments upon the matters contained in these very important papers, the members of this Court could not feel any hesitation about giving their instant attention thereto, and that on Monday they would be prepared to resume with his Excellency the subjects to which their attention was more immediately called.

Enclosure (F.) in No. 89.

Enclosure (F.) in No. 89.

EXTRACT from the MINUTES of the PROCEEDINGS of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its Ordinary Assembly, held at the Colony House, George Town, Demerara.

Present,

His Excellency Major-general Sir J. C. Smyth, Bart., C.B. Lieutenant-Governor, &c. &c. &c.; His Honour Charles Herbert, 1st Fiscal; His Honour George Bagot, 2d Fiscal; the Honourable E. H. Gibbon, Acting Protector of Slaves; and the Honourable Members, John Croal, John G. Reid, George Rainy.—Dempto, his Honour Charles Wray, Chief Justice.

Monday, 5 August 1833.

(After Prayers.)

The Court, with reference to the communication made to it by his Excellency on Saturday last, when his Excellency was pleased to lay over Mr. Secretary Stanley's circular Despatch of the 13th June, and the determination to fix on this day for the reconsideration of the subject thereof; after the most mature deliberation, agreed to the following reply to the communication of his Excellency the Lieutenant-governor, which was read and ordered to be entered on the Minutes:

His Excellency the Lieutenant-governor having laid before the Court a circular Despatch of the Right honourable the Secretary of State for the Colonies, dated 13th June last, communicating certain Resolutions adopted by the House of Commons relating to the abolition of slavery, the Court is desirous, on so momentous an occasion, to take the earliest opportunity of recording, for the information of His Majesty's Government, their sentiments on the general principles on this important subject, which alone are indicated in those Resolutions, and referred to in that Despatch.

That for this purpose, acknowledging and accepting with gratitude the grant of twenty millions sterling, announced to be made towards the compensation of the proprietors in the Slave Colonies, as an earnest of the deliberate and becoming determination of the Imperial Parliament to fulfil, to any further extent which the circumstances of the case may call for, the obligation which justice imposes of enforcing no invasion of the rights of private property without affording full indemnification, and relying on the firm adherence to the just principle of distribution of that grant among the several Colonies which has been already declared by His Majesty's Government; this Court requests that his Excellency the Lieutenant-governor will be pleased to convey to His Majesty the dutiful assurance of its cordial desire to contribute its best efforts to devise and give effect to all such measures for the abolition of slavery as shall appear best calculated for attaining that object, under such provisions for regulating the condition of the negroes as may combine their welfare with the interest of the proprietor and the general benefit of the State.

2. That in receiving with respectful deference, and engaging to aid zealously in procuring an efficient and salutary operation for the decree of His Majesty and the British Parliament on this subject, the Court cannot conceal its sense of the almost overwhelming difficulties with which the intended experiment is encompassed, nor can it look forward without a feeling of deep anxiety, not unmixed with misgivings, as to the result.

3. That while the Court is aware that the projected measures are intended to effect an entire change in the structure of our society and in the relation of its different classes, and are designed to abolish any domestic or arbitrary authority by which its labouring population has been hitherto partially governed; and while it will be ready to adopt and to aid in carrying into execution a more approved scheme of social relation, conducive eventually to elicit and establish to every practicable extent a system of voluntary industry for carrying on the work of agricultural production; it anxiously hopes that His Majesty and Parliament will be disposed to make considerable allowances, not only for the acknowledged difficulties common to all the Slave Colonies, which perplex the satisfactory adjustment of this question, but in an especial manner for the peculiar and aggravated disadvantages, with reference to the accomplishment of the desired object, which attach to this Colony in comparison with most others, arising from several obvious causes, but chiefly from the greater disparity which exists here between the supply of and the demand for labour, in consequence of the unbounded extent of the field for its employment, and

between

between its value and the cost of that scale of maintenance with which the habits and circumstances of the labourer dispose him to rest satisfied. The Court, therefore, earnestly trust that His Majesty's Government will be sensible that the maintenance of efficient industry in the cultivation of the staple of this Colony can only be secured by regulations of the most strict and powerful description, which, though exempt from the obnoxious features of slavery, and effectually guarded against the liability to abuse under the impulse of private interest or irresponsible authority, will nevertheless render the existing fund of labour, to any extent not incompatible with the entire well-being of the labourer, available for continuing the established system of production of the Colony; and that such regulations are alike essential to the preservation of the capital involved, to the rendering of this dependency of the empire subservient to its power, prosperity and resources, and are in an especial manner called for by a comprehensive regard to the future and permanent welfare, and the progressive social advancement of the great body of its labouring population, whose interests have engaged in so marked a manner the solicitude of the British nation.

4. That, as intimately connected with and subservient to the prospective elevation of that description of the labouring population whose privileges are about to be extended, and as essential to the well-being and salutary organization of our entire social state, the Court cannot on this occasion refrain from expressing its sense of the urgent necessity for constructing fundamentally, and making due provision for the efficient execution of an equally powerful and strict system of appropriate regulations for the government of its general society of all complexions and descriptions; an organization which is the more indispensable to the peace and safety of the community, from the recent rapid increase of a free population, comparatively exempt from salutary control, and too often revelling with impunity in licentious idleness and petty crime, in consequence of our existing institutions (chiefly framed with an exclusive regard to the regulations of a slave community) being utterly inadequate to afford sufficient means of preventing, repressing, and correcting the disorders and obviating the dangers thus incident to our social state.

5. That, looking to the unavoidably heavy expense which will attach to the establishment of a magistracy and of police establishments, on a scale of efficiency commensurate with the wants of the community, and adverting to the additional provision requisite for the religious and moral education of the negro population, the Court receives with thankfulness the pledge contained in the Resolutions, of the intention of Parliament to make provision for these important objects, to which the resources of this Colony are entirely inadequate.

6. That it is peculiarly satisfactory to the Court to have the assurance of the Secretary of State, that the measures proposed to Parliament for carrying into effect the Resolutions of the House of Commons, will be so framed as to leave the amplest opportunity for taking advantage of the local information of the legislative Councils, and showing respect to their judgments.

That the Court will devote itself to this important duty whenever his Excellency the Lieutenant-governor may propose that it shall enter on its details; and that in the mean time the Court, entirely concurring in opinion with his Excellency on the propriety of making such preliminary inquiries as may be conducive to the due elucidation of various matters connected with the projected changes, will engage assiduously in instituting such inquiries.

7. That with reference to the prevailing sentiments of the great body of the resident proprietary and representatives of property in this Colony, and of all other classes of the colonists, it is gratifying to the Court to testify its belief that, in reliance on the justice of Parliament, and the support of His Majesty's Government, a disposition pervades that important body to meet the approaching changes in a conciliatory and co-operative spirit; but the Court would be wanting in its duty at this crisis, if it did not beg permission earnestly to impress on His Majesty's Government, that this community so entirely confide in the observance of that equitable principle already propounded by His Majesty's Government, as to the distribution among the different Colonies of the intended compensation, that a deviation from that principle would engender feelings of intense disappointment and despondency, and would tend seriously to compromise the hope of embarking, in aid of the arduous experiment about to be entered on, the cheerful concurrence of that body on whose cordial co-operation its peaceful and beneficial progress avowedly depends.

That as the grant in question is obviously made towards affording compensation for a particular description of property about to be affected by the changes incident to the altered policy of the State, it is self-evident that no other rule than one which shall have strict regard to the relative values of that species of property, in the different situations in which it now exists, can with any semblance of justice be made applicable to its due apportionment.

If this were a question on the adjustment of which powerful private or political influences could be admitted to have a legitimate bearing, this Colony, unable to contend with its competitors in the exertion of such influences, could not but have serious apprehensions of an unfair result; but in a matter of pure equity, subjected to the solemn and judicial adjudication of the Imperial Legislature, the Court cannot entertain the indecorous supposition that any other principle will be sanctioned than that which will award the intended compensation in the degree in which that property which is intended to be interfered with, possesses value as property.

The confidence with which this Court is disposed, on behalf of this Colony, to rely exclusively on the abstract justice of its claim in this important matter, would not be weakened by the appeal which it might make to the repeated acknowledgments by successive Secreta-

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ries of State of His Majesty's gracious approval of its efforts to fulfil the intentions of Parliament in the amelioration of slavery, and which, so long as the legislation on that subject was left to its discretion, fell short of one solitary point only of carrying into effect the requisitions of His Majesty's Government.

And his Excellency the Lieutenant-governor is requested to take the earliest opportunity of forwarding copies of this Minute to the Right hon. the Secretary of State for the Colonies; and the secretary is directed to hand to his Excellency an extract hereof for that purpose.

— No. 90. —

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 90.

Sir, Camp House, Demerara, 18 Aug. 1833.

I have the honour to acknowledge the receipt of your secret Despatch of the 4th July, together with its enclosure. I avail myself of the present opportunity to report to you, that the most perfect tranquillity prevails throughout the whole of this Colony, and that I have no reason to anticipate or apprehend any insurrectionary movements. The negroes were never more willing or obedient; and I am sanguine in my hope that, with due vigilance and precaution, the important change will be carried into effect without any collison. The critical period will, however, be on the promulgation of the Act of Parliament. Some little excitement is naturally to be expected; which probably will be magnified by the enemies to the measure. The principal inhabitants have, however, so much at stake, and they have shown so much good sense and moderation upon the occasion, that I am convinced all the influence in their power will be exerted to maintain the peace of the country, and that no inflammatory or factious proceedings will receive the slightest countenance or protection. The great body of the slaves are aware of the benefits they are about to receive, and from every source of information within my reach, are disposed to check any violent or intemperate conduct on the part of any of their comrades. Upon the whole, it is my sincere belief that the state of the public feeling in this Colony, of both the white inhabitants and of the darker population, is as favourable as could be wished.

I have, &c.

(signed) *J. Carmichael Smyth.*

— No. 91. —

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 91.

Sir, Camp House, Demerara, 7 September 1833.

I beg to lay before you the enclosed Report, which I have received from the Crown-advocate in this Colony, relative to those alterations in the colonial laws which will be required in consequence of the changes in the relative situations of the different classes of society, upon the abolition of slavery. It has afforded me much pleasure to observe how very little will be required to be done. The regulations, and all matters connected with the new system of police, which will have to be adopted, the Crown-advocate has of course studiously avoided entering upon, the same not having been referred to him for his consideration and report. I think, however, I may venture to state to you that, whenever this most important Bill shall have passed the Imperial Legislature, all those matters of detail which are to be left to the discretion of the local authorities, will be discussed and carried into effect in these provinces with every wish and desire to promote the views of His Majesty's Government, and to preserve the public tranquillity. I have very great satisfaction in being able to add, that from every account I receive, not only from persons in possession of civil authority, but from the clergymen, the missionaries, and other sources

sources of information, the negroes were never known to be so subordinate, tranquil, or to do their work with such good humour and cheerfulness. I hope and trust that in British Guiana the crisis will pass over without any collision. I shall not however allow myself to be lulled into any false security, nor deem it prudent to relax in any and every precautionary measure. BRITISH GUIANA.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 91.

TO His Excellency Sir James Carmichael Smyth, Baronet, &c. &c. &c., Lieutenant-Governor, &c. &c. &c.

The REPORT of the Crown Advocate, on the Extract from a Despatch of the Right Honourable the Secretary of State for the Colonies, dated 13 June 1833;

Humbly sheweth, Enclosure in No. 91.

That in obedience to your Excellency's order of the 13th instant, your Reporter has considered the matters referred to him, and has also read the draft of the proposed Act of Parliament; and has the honour to state,

1st. With respect to the qualification for the enjoyment of the many civil franchises which presuppose the existence of property in slaves: That the law now in force which regulates this matter emanating from the sovereign authority, the attention of His Majesty's Government will be certainly required in order to a new arrangement of the franchise, inasmuch as the votes for the election of keizers and financial representatives now depends wholly on the possession of 25 slaves, which must cease with the alteration in their condition on the 1st August 1834.

2d. With respect to the laws of succession and inheritance, and whatever relates to intestates' estates: That there being no distinction in the nature of property here peculiarly applicable to property in slaves, which take it out of the general rule in cases of succession or distribution of intestates' estates, the abrogation of slavery will cause no difficulty that can require a new enactment.

3d. With respect to the execution of judgments of the courts of law: That your Reporter observes that this subject has in great measure been dealt with in the proposed Act of Parliament, and therefore that a slight alteration only in the manner of proceeding established for the supreme court of justice will be required, which is within the functions of the court itself.

And lastly. With respect to any enactment by which the existing law may be most conveniently adjusted to a state of society in which slavery will be unknown: That the abrogation of slavery by an Act of Parliament necessarily implying the abrogation of the laws and regulations now in force relating to that state of society, we shall revert wholly to the Dutch law, throughout which slavery is not contemplated; and such laws being already adjusted to the state of society alluded to, no new enactment seems to be called for in that respect.

Which is respectfully submitted.

Demerara, 3 September 1833. (signed) *S. W. Gordon*, C. Adv.

— No. 92. —

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir, Camp House, Demerara, 3 Oct. 1833. No. 92.

I have great pleasure in being able to report, that not only the most perfect tranquillity prevails throughout the whole of these provinces, but that the slave population was never more obedient or industrious. The negroes are however perfect children of nature, and act upon the impulse of the moment. In expectation of the great boon about to be conferred upon them, their gratitude to the King, the good King, as they emphatically call His present Majesty, from whom they are to receive their freedom, knows no bounds. I only returned the day before yesterday from a short tour on the other side of the Demerara river, and where there is a very dense population. Several of the most respectable of the planters and managers I found were looking forward with considerable apprehensions to the 1st of next month. In the first sketch of the Bill for abolishing slavery, it was stated that on the 1st November of the present year,

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the owner was to be divested of the power of inflicting punishment. This clause, so highly important to them, the negroes, it would appear, have not forgotten ; and if not informed by authority on which they can depend, that the power of the master is to continue in full force until the 1st of August of next year, the greater their gratitude and the greater their happiness, in proportion as the day approaches which they have imagined is to release them from the odious control of the lash, so much more they will feel the disappointment and the further delay. Under these circumstances I have been induced to issue a Proclamation, which I trust you will approve of. Until the Bill had passed the House of Lords, and in the uncertainty of what alterations it might then undergo, I could not communicate anything to the negroes, to the correctness of which I could pledge myself. I have even now anticipated any official communication that the Bill has passed. The paramount consideration of the preservation of the peace of the country, and the being enabled to carry the great change into effect without any collision or bloodshed, have induced me to anticipate the receipt of your orders. The 1st of November is so near at hand, that if the ensuing mail is delayed by weather or any other accidental cause, the day would be upon us before I might be able to inform the negroes that the 1st of August, and not the 1st of November, is the day fixed for the cessation of slavery and the commencement of their apprenticeships. I trust my conduct will meet with your approbation.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 92.

TO the Slave Population of British Guiana.

By His Excellency Major-General Sir *James Carmichael Smyth*, Baronet, &c. &c. &c.
Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

Enclosure in No. 92.

In a proclamation which I addressed to you about three months ago, I told you that whatever orders I received from the King about you, I would immediately communicate them to you, and that you might depend upon my carrying them punctually into execution. I warned you of the necessity of your continuing to conduct yourselves quietly ; of steadily performing your work, and of yielding to your masters a cheerful and ready obedience. I am happy to say that you have followed my advice; you have conducted yourselves as well as could have been wished. This country was never happier or quieter. You have shown to the world that you are worthy of the great sacrifice of money the people of England have agreed to give to your masters for your freedom. I thank you for your good conduct. Listen now to the orders which our great and good King has sent to me about you. You will find that everything that could be thought of to render you happy and industrious has been attended to.

1. You are to continue as you are until the 1st of August next. This delay is necessary to enable the justices of the peace (under whose care and superintendence you are to be more particularly placed) to be selected, and to be sent here from England. On the first of August next you are to be no longer slaves, but apprenticed labourers. The difference between a slave and an apprenticed labourer is very much in your favour. A master is by law entitled to require his slave to work nine hours per day, or 54 hours per week ; an apprenticed labourer can only be called upon to work at the rate of 7½ hours per day, or 45 hours per week. You gain, consequently, as soon as you are apprenticed labourers, at once nine hours per week, in which you can work or do anything for yourselves. The master of a slave can order his slave to be punished : the master of an apprenticed labourer will have no such power over his apprentice; but if he has any fault to find, he will have to complain to a justice of the peace, whose duty it will be to listen patiently, to examine witnesses, and to write down carefully all the particulars of the story, as related both by the master and the apprenticed labourer, before he gives judgment. These judgments must, moreover, be laid from time to time before me ; and if any justice of the peace abuses his authority, or acts with partiality, or under the influence of passion, or in any way shows himself unworthy of the high trust committed to his charge, you may depend upon his being immediately removed. You see, therefore, the great advantages you will derive from being apprenticed labourers instead of slaves.

2. However much your situations will be improved, and your happiness and comforts augmented, by being made apprenticed labourers instead of slaves, yet it is further intended that in a few years you shall be perfectly free, and at liberty to engage yourselves with any master, or gain your livelihood in any way you may think proper. The King has ordered that you are to be apprenticed labourers only from the 1st of next August until the 1st of August of the year 1840, which is but six years of apprenticeship. On the 1st of August 1840 you will be as free as any white man.

3. I have

3. I have said to you that the master is by law entitled to 54 hours per week of labour from his slave, and that from the apprenticed labourer he will only be entitled to 45 hours per week. There are, however, many domestic slaves employed about a house, and many mechanics and artificers who do not work in the field, but who are required to give up more of their time to their master. A list of these people will be carefully made; and it is the King's orders that, as they give up a greater proportion of their time for the use and advantage of their masters than the slave who merely works at his lawful hours in the field, so they should receive a recompence, by being entitled to their freedom at an earlier period. A list of all slaves employed as I have described will be made out, and on the 1st of August next they are to be called non-prædial apprenticed labourers; and they will receive their complete freedom on the 1st of August 1838, that is, two years before their comrades.

4. You are now fully acquainted with the King's orders, and with everything that is to be done with respect to you. I trust you will all return to your work quietly, happily and cheerfully; and that in your prayers you will not fail to return your humble and sincere thanks to the Almighty God, in whose hands are the hearts of Kings, for having thus opened the door and prepared to lead you from the house of bondage. The wisest and ablest of men never anticipated that such a great and a blessed change could have been effected in your favour but at a remote period, and even then accompanied with bloodshed. Let me urge you for your own sakes, now that you are aware of all the good that is intended for you, to prove yourselves worthy of the blessings of freedom; and in all matters, and upon all occasions, to show yourselves loyal and obedient subjects of that truly paternal Government to which you owe so much.

Given under my hand and seal, at the King's House, George Town, Demerara, this 2d day of October 1833, and in the fourth year of His Majesty's reign.

God save the King.

By His Excellency's command.

(signed) *T. C. Hammill,* Acting Gov. Sec.

— No. 93. —

Copy of a DESPATCH from Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley.*

Sir, Camp House, Demerara, 16 Oct. 1833. No. 93.

I have the honour to acknowledge the receipt of your Circular of the 5th September, together with a copy of His Majesty's Proclamation directed to be forthwith promulgated, and which orders were carried into execution within a few hours after the arrival of the packet. I am happy to be able to report that this Colony never was quieter; and I see no reason to apprehend any interruption to its tranquillity. I shall not, however, relax in my endeavours to maintain the public peace, nor suffer any of the measures of precaution I have adopted, to be discontinued. I have lately returned from another tour I made for the purpose of inspecting the militia, upon the eastern coast, and have everywhere met with the same disposition, on the part of the planters, to cultivate the good will of the negroes, (without whose cheerful aid they are well aware that they will not be able to carry on the cultivation of their estates), and the same obedience and orderly conduct on the part of the negroes themselves. The address to negroes, a copy of which I did myself the honour to forward to you in my Despatch of the 3d October, and in which I explained to them what had been done for them, has had every good effect I wished for. The delay from 1st November to the 1st August, I was apprehensive would have occasioned some disturbance. In one small district only, that of Western Essequibo, were any symptoms of disappointment manifested. The deputy fiscal of that district, Mr. Bean, is however a very well informed and sensible man; and by his prudence and firmness, the angry feelings, generated under the misconception of the day on which the power of punishment on the part of the master was to cease, evaporated without any explosion. This is a solitary instance of anything like a want of gratitude on the part of the slave population; and when it is remembered how easily the passions of the lower orders, in all ages, have been influenced, the only wonder is, that on a subject of such vital importance to their welfare, these uneducated children of nature should have shown a patience and a forbearance worthy of being imitated by many of their better instructed fellow subjects in the mother country.

I propose leaving this for Berbice on Monday, in order to inspect the Berbice militia and to make myself personally acquainted with the state of public feeling

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ing in that district. I am also anxious to look into the detail of the public offices at Berbice, with a view to carry into execution those measures of economical reform inculcated in my instructions. I shall be back here to open the Court of Policy on the 29th instant, about which time the second September mail may be expected.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 94. —

EXTRACT of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor Sir *J. Carmichael Smyth*, dated Downing-street, 16 January 1834.

No. 94.

I HAVE the honour to acknowledge the receipt of your Despatch of the 3d October, enclosing your proclamation; and also of your Despatch of the 16th October last, announcing to me the promulgation of His Majesty's proclamation upon the subject of the Act for the Abolition of Slavery.

In expressing to you my satisfaction at the favourable report of the disposition and behaviour of the negro population, and at your unremitting exertions in the preservation of the public tranquillity in British Guiana, I regret that I am unable to convey to you my unqualified approbation of your own proclamation.

— No. 95. —

COPY of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 95.

Sir, Camp House, Demerara, 26 January 1834.

IT is with infinite satisfaction that I have the honour to transmit to you, to be laid before His Majesty, the accompanying copy of an Ordinance which I authorized to be promulgated in this Colony a few days ago. This ordinance, which deprives the master of the power of inflicting corporal punishment upon the slave after the 1st March, and thus anticipates the enactments of the Act for the Abolition of Slavery by five months, and deprives slavery of its most disgusting and objectionable features, cannot but be favourably received by His Majesty.

(A.) Printed in Appendix (B.) No. 13.

2. I take the liberty of also submitting for your perusal, and as I hope, for your approbation, a copy of a Minute I entered upon the journal of the proceedings of the Court of Policy, upon the passing of this ordinance. I also add a copy of an Address I conceived it my duty to circulate amongst the slave population, acquainting them with the great change in their situation.

(B.)

(C.)

3. I am sanguine in my expectations that the ordinance in question will not only be approved of in its general principles, but in its details. I have endeavoured to have it so framed as that it may continue to be useful long after slavery shall have ceased. I have been anxious to lay the foundation of free and liberal institutions in unison with those of the mother country. In lieu of the arbitrary and undefined power of the fiscal, that magistrate becomes merely the chairman of a bench of magistrates, and which, in all cases in which he has cognizance, can never consist of less than four gentlemen.

4. I take the liberty respectfully to suggest, that if the rapid stride thus made by this Colony to meet the views and wishes of His Majesty's Government should appear to be deserving of His Majesty's approbation, an official expression of that approbation, to be communicated to the Honourable the Court of Policy, would be very gratifying to the members, and at the same time could not but have a good effect upon the community at large.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure (B.) in No. 95.

Enclosure (B.) in No. 95.

Gentlemen,

I CANNOT allow the extraordinary session of the Court of Policy to close without entering upon the minutes of the Court the expression of the sincere gratification I have experienced in witnessing your indefatigable exertions in the discharge of your duty, and without offering to you my congratulations upon the proud and successful termination of the first part of your labours.

The ordinance establishing justices of the peace and courts of inferior criminal jurisdiction, in the place of the ill-defined and arbitrary power formerly exercised by the fiscals, I shall put my name to, and cause forthwith to have its operation, with very great satisfaction.

This ordinance, advancing as it does the great cause of rational liberty, and assimilating our proceedings in this distant province of the empire with the free institutions of the mother country, cannot but be graciously received by our most excellent Sovereign.

To myself individually it will ever be with a most satisfactory feeling that I shall refer to the Minute of the 3d August last, which I entered upon your journal, and in which I suggested and urged upon your consideration the measures which you have now adopted. If I, however, have the humble merit of having first brought to your notice the propriety of constituting courts of justices of the peace, to you exclusively belongs that far greater honour of having voluntarily deprived yourselves of the invidious power you formerly possessed over your slaves; a power which, you immediately saw, the establishing of courts of justices of the peace rendered no longer necessary. The task of maintaining order and of enforcing the laws you have placed in the hands of competent legal authority, in the hands of justices of the peace to be appointed by His Majesty. You have set an honourable example to all your sister Colonies; and as you have been the first to deprive slavery of its most disgusting feature, so are you justly entitled to the unqualified approbation of His Majesty's Government, and to the cordial esteem of the British nation.

I have only to add, that I shall continue most cheerfully to co-operate with you in perfecting the great and important work entrusted to our charge, and that I have very little doubt, from the nature of the progress we have made, but that the result will be as satisfactory as the jarring and conflicting nature of the several interests of the parties concerned will admit of.

Court of Policy, 21 Jan. 1834. (signed) *J. Carmichael Smyth.*

Enclosure (C.) in No. 95.

ADDRESS to the Slave Population,

By His Excellency Major-General Sir *James Carmichael Smyth*, Bart., &c. &c. &c.

Enclosure (C.) in No. 95.

A NEW law has this day been made by myself and the Court of Policy. By this law a number of the most respectable gentlemen are to be appointed justices of the peace; and from the 1st of March next, if you commit any fault which may appear to your master, or the person having authority over you in your master's name, deserving of being punished by the cat, you must be taken before these justices, who will hear and write down what you have to say in your defence, as well as what may be alleged against you, and, after due and careful deliberation, will either acquit you or sentence you to be punished according to the nature and degree of the offence. By this new law you will perceive that you cannot consequently be punished as aforesaid, without being tried and found guilty by gentlemen administering justice in the name of the King.

I assure you, my friends, that this day, as the day on which I have signed this law, I shall always consider as one of the happiest in my life. If you have grateful and affectionate hearts, if you wish to be thought worthy of the blessings of liberty, if you feel rejoiced at the progressive improvements which are almost daily made with a view to your happiness and comfort, let me earnestly entreat of you to manifest your gratitude by paying the utmost attention and respect to your masters or those in authority over you; and by performing your work with increased diligence and activity, show to the world that you are human beings, capable of being governed by reason, and ready and willing to labour without being compelled, like a horse or mule, by the constant fear of the whip. I wish you clearly to understand that this new law which I have signed this day is not in consequence of any order from the King, but it has been originated and passed in this Colony without any communication from England, and that most of the gentlemen of the Court of Policy who have advised and agreed to this law are masters of slaves.

It is, therefore, to your masters themselves that you are indebted for this immediate improvement in your situation; and as they have voluntarily consented, that from the 1st March next there shall be no punishment by whipping but by the authority of the justices, after a careful investigation, I hope that you on your parts will so behave yourselves as to give to them no cause to repent of the steps they have taken in your favour. Be sober, civil and diligent in your several employments. By such conduct you will afford real and heartfelt satisfaction to your friends and well-wishers, and at the same time best ensure your own happiness.

Camp House, 21 January 1834. (signed) *J. Carmichael Smyth.*

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— No. 96. —

Copy of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

Sir, Camp House, Demerara, 27 January 1834.

No. 96. IN order that I may be enabled to judge correctly of the state of the country, I have required, ever since my arrival in this Colony, monthly reports from the fiscals of each district, with details of complaints, and a return of punishments. I have also required from the protectors of slaves similar monthly reports of their proceedings. I cannot show to you in a more gratifying manner the tranquil state of this Colony, than by submitting for your perusal the reports for the last month from the three fiscals and from the two protectors.

2. I beg also to lay before you, and to draw your attention to a Return, showing the quantity of colonial produce gathered and manufactured this year, as compared with the several preceding years. This official document clearly establishes that a considerable increased quantity has been made this last year, although the season has by no means been particularly favourable. This increased quantity is solely attributable to the increased goodwill and diligence of the slaves; and this goodwill and diligence of the slaves are the consequences of the milder treatment they now experience, and of the cheering prospect before them. The abolition of the horrid cart-whip, the suspension of the two fiscals for illegal and improper severity, the restraining of all punishments inflicted by order of single magistrates to the extent authorized by His Majesty in Council, and above all, the explaining to them fully and explicitly what will be their rights as apprenticed labourers, and clearly stating to them the period when they will be perfectly free, have fortunately acquired for my administration of this government the confidence and gratitude of the slave population. Ill-treatment, or even imaginary wrongs, may produce a riot or a temporary disturbance upon some particular plantation; anything however of the nature of a combined effort or preconcerted insurrection, with a view to hasten the period of the cessation of their state of slavery, on the part of the negroes, I have not the slightest apprehension of. Human nature is in fact the same all over the world; and no man who is confident that his wrongs will be redressed, if made known to the competent authority, will fly to arms and endanger his own life in order to avenge himself. Of the continuance of tranquillity in this colony I have very little doubt.

3. It also affords me great pleasure to be able to report that very considerable progress has been made in the formation of the ordinances for the government of the apprenticed labourers. It is proposed to embody the contents of the 12 chapters contained in the paper of the 10th October 1833, which I had the honour to receive from you, into two ordinances. The first ordinance will relate solely to the classification of the labourers, as explained in chapter 3. As the slaves are to have the right of appeal, if not satisfied that they are placed in the class to which they imagine they ought to belong, it is evident, that in order that there may be sufficient time to hear and dispose of these appeals, and still that the classification may be completed before the 1st August, there must be no delay in making all the preliminary arrangements. It is consequently my intention, with a view to do all in my power to expedite the carrying into effect these important measures, to sanction the promulgation of the ordinance respecting the classification of the slaves, as soon as it shall be completed. The second ordinance, containing the regulations for the government of the apprenticed labourers, and which I trust will be found in strict accordance with the Act of Parliament, will be forwarded in about ten days, for His Majesty's most gracious approbation.

4. I beg to add, that the commissioners of compensation having, with great diligence and activity, acquired all the necessary information to enable them satisfactorily to comply with the first part of their instructions, I am in hopes to be able, in a few days, to forward to the Commissioners in London, through the Colonial Office, the first part of their Report.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure in No. 96.

Enclosure in No. 96.

COMPARATIVE STATEMENT of the AMOUNT of CROPS in *Demerara* and in *Essequibo*, for the last Five Years.

—	Number of Slaves.	Pounds Sugar.	GALLONS OF RUM, PROOF.						
			24	23	22	21	20	19	18
1828	58,324	84,996,251	1,978,626	2,468	74,389	49,622	378,034	186,066	38,050
1829	57,054	91,652,331	2,411,521	- -	20,573	112,917	345,130	423,248	61,230
1830	56,096	89,611,777	2,878,205	2,160	15,518	23,948	284,195	606,284	148,218
1831	54,890	81,385,451	2,566,852	4,341	46,595	23,264	166,978	595,185	141,583
1832	53,768	80,209,226	1,498,330	2,443	8,670	12,951	112,980	436,039	165,251
1833	53,413	87,248,821	1,447,874	318	792	26,305	84,749	489,961	137,235

—	Gallons Molasses.	Pounds Coffee.	Pounds Cotton.	Amount in Value of Plantains sold.	Amount in Value of Cattle sold.
				Guilders.	*Guilders.*
1828	2,887,321	5,747,091	1,918,036	459,566 7 -	72,127 - -
1829	2,288,737	4,558,789	1,217,269	526,424 9 -	64,844 - -
1830	2,145,911	1,338,158	614,650	443,849 6 -	82,331 14 -
1831	2,896,546	1,176,484	420,338	593,243 16 -	75,564 17 -
1832	4,018,101	3,417,911	599,510	559,890 19 -	68,714 1 -
1833	4,636,294	2,587,744	538,126	467,261 11 -	92,118 17 4

25 February 1834. (signed) *W. Viret*, Accountant Fin[l] Dep[t].

— No. 97. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieut.-Governor Sir *J. Carmichael Smyth.*

Sir, Downing-street, 20 March 1834. No. 97.

I HAVE the honour to acknowledge the receipt of your Despatches of the 26th and the 27th of January last; the former enclosing an ordinance intituled "An Ordinance to establish and constitute Inferior Courts of Criminal Justice in British Guiana," which has deprived the master of the power of inflicting corporal punishment upon the slave, since the 1st March last; the latter reporting most favourably on the tranquil state of the Colony and the industry of the slaves, and enclosing certain documents in proof these representations.

I have received His Majesty's commands to convey to you His confirmation of the above-mentioned ordinance, and at the same time to express to you His Majesty's satisfaction at the wise, just and liberal course which has been adopted by the Court of Policy and yourself on this occasion.

It has afforded His Majesty no small degree of gratification to observe that those for whose benefit this ameliorating law has been framed, have by their conduct merited the confidence and good-will which the Legislature of British Guiana has thus manifested towards them.

The increased industry of the negroes, to which you bear testimony, the absence of offences to a degree which would be creditable even to the most civilized community, are circumstances which would at all times be highly gratifying; but which at the present crisis justify the most favourable anticipations of the success of the great experiment which has thus auspiciously commenced.

The mild treatment of the negroes, indicated by the paucity of complaints before

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before the protector; the anticipation, by several months, of one of the most humane provisions of the British Act, by spontaneous relinquishment of the power of inflicting arbitrary corporal punishments; the cordial adoption of the spirit and views of the British Parliament with reference to the whole subject of emancipation, and the diligence which the Court of Policy have manifested in devising the necessary measures for carrying those views into effect, will most undoubtedly secure the proprietors and the Legislature of British Guiana the gratitude and confidence of the negro population.

The proclamation you have issued for the purpose of explaining the objects and the motives of the new ordinance, is eminently calculated to create and foster those salutary feelings; and His Majesty has authorized me to signify to you His most gracious approbation of that judicious document.

I have only further to add, that having felt it my duty to call the attention of Parliament to the satisfactory intelligence which I had received from you, I am enabled, from the gratifying manner in which my communication was received, to assure the Court of Policy and yourself, that the House of Commons participated in the sentiments which are expressed in this Despatch, and that they fully appreciated the humane and enlightened policy which has been adopted by the Legislature of British Guiana.

I have, &c.
(signed) *E. G. Stanley.*

— No. 98. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to the Right Honourable *E. G. Stanley*, dated Camp House, Demerara, 10 March 1834.

No. 98.

IN your Despatch of the 16th January, I have observed with regret that you do not approve of two paragraphs in my address to the slaves of British Guiana, forwarded to you by me on the 3d October. As you, however, state in your Despatch as aforesaid, that you are aware of the difficulty of framing documents to be addressed to the slaves, and as you are pleased to express your general approbation of the address in question, I trust that you will allow me to lay before you the few following explanatory remarks, which may perhaps induce you to think more favourably of those expressions which at present do not meet your approval.

As a preliminary observation, I presume I may be allowed to assume that as yet the slave has known little of the law but its terrors. Whatever respect he may hereafter feel for the law, and for those who may be employed to administer justice, the very name of fiscal and of deputy-fiscal are to him synonimous with the cart-whip and the tread-mill. He has never hitherto been taken before these magistrates by his master, but with a view of being more severely punished than he could otherwise be. Hereafter when, in the first instance as an apprentice, and subsequently as a freeman, he will feel and be made sensible of the protection afforded by the law, he will doubtless understand and value those institutions to which he will owe his comfort and his happiness. At present, dreading the name of a magistrate as that of a person possessing and exercising over him a more severe sway than his master, he looks to one man, and to one man only, (and whom he believes to have authority over the fiscals and his master), for protection and support. I need hardly point out that this man is the Governor; and I can assure you that every action, word and expression of the officer administering the government is watched and repeated by the negro population, and made known amongst themselves all over the Colony with a celerity that is hardly to be believed. The preservation of the peace of this important province at this momentous crisis depends more than you are perhaps immediately aware of, not so much upon the firmness and character of the Governor as upon the opinion the negroes may have formed with respect to him, and above all, as to their notions of his good faith and sincerity. These conclusions I have arrived at after most mature and serious reflections upon what I have observed passing around me, and with the deepest anxiety to discover the most direct path leading

leading to the accomplishment of the object in view, without endangering the public tranquillity. With a view to acquire the confidence of the negro, which I have stated to be in my opinion of such primary importance, I published, very shortly after I landed in this Colony, an address to the slave population, which had the happiest effects. In that address, I recommended to them to listen to no idle and foolish stories which were in circulation in the Colony as to the measures to be adopted with respect to them. I assured them that neither I nor any person in British Guiana could tell them what would be the orders which the King and the Parliament of Great Britain might send out upon the subject; but I added, that whatever those orders might be, they might depend upon my carrying them into complete execution, and that they might equally rest assured that I would communicate the same to them without delay. From the date of the publication of this address, all that feverish excitement caused by the circulation of all sorts of ridiculous reports ceased, and the negroes awaited with patience my promised announcement. In the meanwhile, upon looking around me, I found that the enactments of His Majesty's Order in Council of the 2d November 1831 had been by no means so carefully and pointedly carried into effect in this Colony as, in my opinion, they ought to have been. I forthwith abolished the cart-whip, as I was by that Order enabled to do. I restricted the extent of punishment (which the fiscals and deputy-fiscals were in the habits of awarding) within the limits fixed by the said Order in Council, not to be exceeded but by courts in possession of competent authority. These measures could not but acquire for me the good-will of the slave population.

The removal of two fiscals showed both the whites and the blacks that the Orders of the King in Council were to be strictly complied with, and did more to suppress acts of tyranny and oppression than the prosecuting and fining of 50 overseers or managers. It was under these circumstances, and keeping in view the line of conduct I had after due reflection traced out for myself, that I had to explain to the negroes the enactments of the Act of Parliament abolishing slavery. I have already alluded to the dislike the negro had to magistrates. It was to soften this dislike, and to inspire him with confidence in those gentlemen whose arrival may be shortly expected, that I was induced to state, in my address to the slaves, that the judgments of the justices of the peace would have from time to time to be laid before me; and that if any of them abused their authority, or acted in any way unworthy of the high trust committed to their charge, they would be immediately removed. I wished to persuade the negro to look up to the expected justice of the peace as his friend; as one acting upon the same principles as myself; in constant communication with me, and liable to be removed if he swerved from the correct discharge of his duty. Such egregious and false misrepresentations are from time to time circulated in this Colony, with respect to the intended plans of His Majesty's Government, that it was with a view to guard against any erroneous ideas which the negroes might have been led to entertain as to the functions and the duties of the proposed justices, that, upon a due conviction of the propriety thereof, I felt it advisable to explain that they were coming here to aid and assist me, and that they would be subject to my authority. I think I may venture to appeal with confidence to the subsequent acts of my administration, to acquit me of any foolish vanity, or such a fond love of consequence, as to wish to keep these justices at a distance. My great object is to induce the slave population to place their confidence in the law and in the administration of justice. The colonial members of the Court of Policy are fortunately gentlemen of as liberal and as enlightened ideas as I ever wish to meet with; they have afforded me their cordial support, and slavery throughout this province has been stripped of its most revolting and disgusting feature. The slaves are daily acquiring a confidence in the government, in the law, and in its administration, which cannot but be attended with the happiest and most beneficial effects. If my expressions have been deemed too strong, I think they may very well be excused, when the class of people to whom they were addressed, the circumstances under which they were made use of, and the good they have done, are taken into consideration.

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No. 99.

—No. 99.—

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

Sir, Camp House, Demerara, 12 Feb. 1834.

(A.) (B.) (C.) I take the liberty of laying before you copies of three circulars, the first addressed to the three fiscals of British Guiana, the second to the several justices of the peace, and the third to each of the clergymen and licensed preachers within the Colony, calling for periodical answers to certain questions; and which, (if duly attended to on their parts,) will preclude almost the possibility of any serious misunderstanding or combination amongst the negro population, without the same being communicated to me in sufficient time to enable me to take such measures as may be necessary to obviate all evil consequences.

I am happy in being able to report that nothing can be more tranquil than this Colony is at present; and with a judicious mixture of firmness and moderation on the part of the magistracy, which I do all in my power to inculcate, I see no reason to doubt the continuance of the existing state of affairs.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure (A.) in No. 99.

Enclosure (A.) in No. 99.

Sir, Camp House, 6 Feb. 1834.

Herewith I enclose for your information a copy of a letter which I have addressed to each of His Majesty's justices of the peace within this province, calling for a monthly report of the state of the negro population in their several neighbourhoods. From you, as an officer of the Crown, more especially entrusted with the preservation of the tranquillity of a large and important district, and who must be *ex officio* in the habits of daily intercourse with inhabitants of every class of the community, I am anxious at the present moment to hear more frequently; and I have consequently to request that you will address a letter to me every Monday morning, containing whatever information you may be in possession of, with respect to the conduct and feelings of the white, free, coloured and black, and the slave population. Upon all occasions I have to beg of you to impress upon proprietors, managers, overseers, and all persons having authority, the necessity of great temper and moderation. It is in the inherent nature of slavery to generate servility on the one side, and haughtiness on the other. The slave approaching the term of his freedom, and valuing himself upon his new rights, will not always be so humble or so abject as formerly. Great allowances must be made both for the prejudices of the overseer, as also for the exultation of the negro. I feel particularly happy that a gentleman of your character and intimate acquaintance with the negro character, should at the present crisis be at the head of the magistracy of so important a district; and I rely with confidence upon your unceasing vigilance and attention.

His Honour ———, (signed) *J. Carmichael Smyth.*
Acting Fiscal of British Guiana.

Enclosure (B.) in No. 99.

Enclosure (B.) in No. 99.

Sir, (Confidential.)—Camp House, Demerara, 1 Feb. 1834.

It being of the utmost consequence that, during the progress of the important changes about to take place, I should not only be made acquainted from time to time with the conduct of the labouring population throughout this province, but receive periodically the fullest information as to their temper and feelings, I have deemed it my duty to apply to you, as one of His Majesty's justices of the peace residing amongst them, and having daily opportunities of forming a correct and unprejudiced opinion; and to request of you to address to me, on the first day of each month, a letter containing answers to the following queries:—

1. Are the negroes in your neighbourhood contented, cheerful and civil?
2. Have the negroes in your neighbourhood performed their work during the last month with alacrity and good-will?
3. Have there been any instances of insubordination, or any attempts to resist authority by force?
4. In the event of any disposition having been manifested to neglect their work, or to behave themselves rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy; or is it only with respect to a few idle and disorderly negroes, that you have had any complaints made?

5. Has

5. Has the attendance of the negroes at church and at school been as regular, during the preceding month, as usual, and to the full extent of the accommodation afforded them under the local circumstances of your neighbourhood? BRITISH GUIANA.

6. Have you, as a magistrate, been under the necessity of ordering punishment by whipping? And if so, how many delinquents have you directed to be so punished during the preceding month?

To ———, I have, &c.
One of His Majesty's Justices of the Peace, (signed) *J. Carmichael Smyth.*
British Guiana.

Enclosure (C.) in No. 99.

Reverend Sir, Camp House, Demerara, 9 Feb. 1834. Enclosure (C.) in No. 99.

At the present moment, when such a great and blessed change is about to take place with respect to the situation of the labouring class of this community, you will see the propriety of the person to whom His Majesty has thought proper to entrust the reins of the government of this province at so important a crisis, being made well acquainted from time to time with the temper, opinions and feelings of the negro population. The safety of all classes, and the preservation of the tranquillity of the Colony, depend upon the caution and circumspection to be observed in carrying the proposed measure into effect. A misconception on the part of the negro, or a jealousy, however unfounded, that the orders from home are more favourable to him than the local authorities are willing to allow, may (if not speedily explained and removed by those in whom he may have confidence) plunge the Colony into dreadful confusion. I am therefore induced, amongst other precautionary measures, to apply to you, as justly possessing considerable influence over your congregation, for your aid and assistance upon the present occasion; and I trust that you will not deem it unbecoming your sacred character, so far to interfere with the political events of the day, as to address to me, on the first day of each month, a letter containing such remarks and reflections on the conduct and feelings of that part of the negro population (spiritually under your charge) as you may deem it advisable that I should be made acquainted with.

I have, &c.
To the Reverend ———. (signed) *J. Carmichael Smyth.*

— No. 100. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley.*

Sir, Camp House, Demerara, 21 Feb. 1834. No. 100.

WITH reference to my Despatch of the 27th of January, I have great pleasure in transmitting to you to be laid before His Majesty, and as I hope, for his Royal approbation, the first of the two Ordinances therein alluded to; being the one required for the classification of the apprenticed labourers. I do not think that the enactments of this ordinance require from me any particular comment or explanation, being strictly according to the spirit, and (as much as local circumstances would admit) agreeably to the very words of the 3d cap. of the proposed Order in Council, attached to the printed paper, dated Downing-street, 19 Oct. 1833. Printed in Appendix (B.) No. 14.

I have great pleasure in being able to add that the ordinance for the government of the apprenticed labourers has been read twice. It is ordered to be engrossed, and to be brought up for the third reading upon Friday next. In ten days, at the very farthest, I am in hopes, consequently, to be able to transmit this important document.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 101. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. Carmichael Smyth.*

Sir, Downing-street, 6 June 1834. No. 101.

I have received and laid before the King your Despatch of the 21st Feb., transmitting an ordinance passed by yourself and the Court of Policy, for the

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classification and registration of slaves in British Guiana, hereafter to become and be apprenticed labourers; and I have the honour to signify to you His Majesty's approbation of this ordinance.

I have, &c.
(signed) *T. Spring Rice.*

— No. 102. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley.*

No. 102.

Sir, Camp House, Demerara, 25 Feb. 1834.

WITH a view to the removal of all daily causes of irritation between the employer and the labourer, and to encourage that kind feeling without which it will be impossible to carry on the cultivation of the estates in this Colony when labour becomes perfectly free and uncontrolled, I am extremely anxious to introduce a fair and equitable system of task-work, and which task-work may hereafter be paid for at a price to be agreed upon.

I take the liberty of laying before you a circular letter which I have addressed to the justices of the peace throughout the province of British Guiana, calling upon them to favour me with the details of the information I shall require to enable me to lay the foundation of a system, from which I am in hopes much future good may arise. It is my intention to appoint a committee, to be composed of seven or eight of the most respectable planters, and to submit to them the replies from the several justices, and to call upon them to form, from the mass of information they will have before them, a reasonable tariff of the amount of work each negro ought to perform. This tariff will be of course, before it is promulgated, subject to my examination and approbation. I do not propose that this proposed tariff should be issued by authority, or that there should be any compulsory enactments with respect to its being observed. These matters, I humbly conceive, had better be left to find their own level. I intend only to recommend their adoption, both to the employer and to the labourer, as calculated to promote the interests and happiness of both parties.

I have, &c.
(signed) *J. Carmichael Smyth.*

P. S. I have framed my questions for a day's work of ten hours. I have done this on purpose, as this is the time the negroes have hitherto been accustomed to work; and no planter, with the very best intentions, but who might over-estimate the quantum of work to be performed in the reduced time he now will have a right to. I have therefore thought it best to have the information given to me, as to the quantity of task-work equivalent to ten hours of work; and from which estimate one-fourth will, of course, be to be forthwith subtracted.

J. C. S.

Enclosure in No. 102.

Enclosure in No. 102.

Sir, Camp House, George Town, 23 Feb. 1834.

WITH a view to the system of task-work being more generally resorted to in this Colony (a system which, wherever it has been resorted to, whether in Europe or in the Colonies, has invariably been found to be equally advantageous to the employer and the labourer), I am desirous of obtaining from you information upon certain points connected with the subject. I will therefore be obliged to you, after conferring with the most intelligent gentlemen in your neighbourhood, accustomed to the management of negroes, and in the habit of superintending or directing their work, to favour me with replies to the following questions, as far as they may be applicable to the local situation and the usual cultivation of your district.

1. What are the operations, connected with the navigation, the canals, and the drainage of the estates, which are susceptible of being executed by task-work? And what extent of work of each different sort, as above described, has hitherto been considered as a fair proportion to be required from a labourer for his day's work, the day being reckoned at ten working hours?

2. What

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2. What are the operations in the culture of the sugar cane, and in the manufacture of sugar, which are suceptible of being executed by task-work? And what are the different proportions of such work as have hitherto been considered fair tasks for a day of ten working hours, when allotted to one, or to several labourers conjointly; to one, or to several women conjointly; or to a gang of a certain number of either boys or girls? The number of the children, in proportion to the extent of the work required, to be specified.

3. What are the operations connected with the culture of the coffee tree, and the preparation of the fruit for exportation, which are susceptible of being executed by task-work? And what extent of labour, in each of these several operations, has hitherto been considered as a fair day's work, in a working day of ten hours each, for a male labourer, a female labourer, or for a boy or girl; or (when the work has been given out to a gang) to a gang composed of a certain number of persons of either of the above descriptions?

4. What are the operations connected with the culture of the cotton shrub, and the gathering, picking and packing the cotton wool, which are susceptible of being executed by task-work; and what extent of labour, of each of the foregoing different descriptions, has been considered as a fair day's labour, in a working day of ten hours, for a male labourer, a woman, a boy or a girl?

5. What operations in the culture of the plantain are susceptible of being performed by task-work; and what has been the extent of a fair day's work, in a working day of ten hours, hitherto expected from a male labourer, a woman, or a boy or girl, in work of such a description?

6. What are the operations in wood-cutting, squaring and sawing of timber, making shingles and staves, which are susceptible of task-work; and where task-work has been resorted to, what has hitherto been considered as a fair day's work, for a day consisting of ten hours, for a labourer employed upon a wood-cutting establishment.

To ———,
One of His Majesty's Justices of the Peace in the Province of British Guiana.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 103. —

No. 103.

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieut.-Governor Sir *J. Carmichael Smyth.*

Sir, Downing-street, 5 May 1834.

I HAVE received your Despatches as named in the margin; and I have the honour to convey to you my approval of the course which you have adopted, as detailed in the last-mentioned communication, for obtaining such information from certain local officers as will enable you to prevent any disturbance among the negro population, and also to assist you in establishing a fair and equitable system of task-work. Your regulations upon the latter subject I shall be happy to receive as soon as completed.

12 February.
25 February.

I have, &c.
(signed) *E. G. Stanley.*

No. 104. —

No. 104.

COPY of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley.*

Sir, Camp House, Demerara, 14 March 1834.

I HAVE very great satisfaction in laying before you an Ordinance for the government and regulation of apprenticed labourers in this Colony, framed, as I hope it will be deemed, in strict accordance with the principles established by the Act for the Abolition of Slavery; and in unison (as much as local circumstances would admit of) with those measures recommended to the consideration of the Legislature of British Guiana, in your paper of the 19th October 1833. I propose to do myself the honour of pointing out, in this Despatch, those enactments which are not strictly in accordance with your recommendation (or the contents of the paper of the 19th of October), and of respectfully explaining the reasons which have induced me to give my assent to those contained in the ordinance, in preference.

Ordinance printed in Appendix (B.) No. 15.

No. 1.

You have proposed to divide British Guiana into eight judicial districts. It is the unanimous opinion of the members of the Court of Policy (and in which I perfectly

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I perfectly concur) that, considering the localities of the Colony, 14 is the least number of districts in which it ought to be divided.

You have proposed that one special justice only should be appointed for each district. The maximum of punishment (Art. 7, page 16) left to the discretion of a single magistrate, you have proposed to fix at six months' hard labour, and 39 lashes. In the ordinance, a single magistrate is not entrusted with the power of awarding a more severe punishment than 14 days' hard labour, or 15 lashes. (*See* p. 4, s. 3, c. 2.) When cases occur which may require to be more severely dealt with, they must be taken before a bench of magistrates, and which bench of magistrates or district sessions can inflict punishment to the extent you have proposed to entrust to an individual magistrate. I humbly conceive the enactments of the ordinance are preferable to the plan of leaving so much power in the hands of any individual; insomuch as all arbitrary power is liable to be abused, and consequently the less of it is entrusted to single magistrates the better.

This change in the authority of the single magistrate, and the necessity of three being assembled to take cognizance of offences of a graver character, render a greater number of magistrates than you have contemplated absolutely and essentially necessary to carry the law into execution. The ordinance specifies three, as required for each judicial district; of which, it will be remembered, it is proposed there should be 14. Forty-two special magistrates will consequently be required for British Guiana. If 14 stipendiary magistrates are sent from England, these 14 gentlemen would be the chairmen of the district sessions of their respective districts, and the 28 remaining special justices, whose services will be required for the formation of the courts, can be selected from the justices of the peace of this Colony. I beg leave respectfully to refer you to my despatch of the 28th November (No. 65) upon the subject, and in which I have entered at full length into the policy and propriety of some such measure.

If the arrangement, as described in the foregoing paragraph, should not be approved, and that it should be determined to entrust to the gentlemen to be sent from England the sole and entire control and government of the apprenticed labourers, in that case it will be necessary to arm the individual magistrates with those powers which the enactments of the ordinance confide only to the court of district sessions.

In chapter 10, page 19, of the ordinance, you will observe that in all cases of sale of the services of an apprenticed labourer, the public exhibition of the person of the labourer, or even his compulsory attendance at the place of sale, is prohibited. This is a clause I introduced myself, and to which I beg your special attention. I beg respectfully to suggest that His Majesty's law officers may be consulted as to the legality or illegality of seizing the services of an apprenticed labourer under a writ of execution. If the services of an apprenticed labourer are liable to be taken in execution by a creditor, the labourer himself, being a freeman, can never be compelled to mount a table whilst his services are put up at auction; nor can he be locked up or imprisoned by the marshal. I introduced the clause with a view to prevent disturbance; as I am confident the apprenticed labourer would have resisted. If the Ordinance is approved of, such a proceeding will be illegal, and cannot be attempted. The opinion of His Majesty's legal advisers, relative to the legality of issuing writs of execution upon the services of an apprenticed labourer, is however highly necessary to be communicated in this Colony, in order that the question may not be agitated. It is one of vital importance, and which, if pushed to extremities, might endanger the peace of the Colony.

In forwarding to you the ordinance for the government of the apprenticed labourers, I beg at the same time to draw your attention to the accompanying
No. 2. Extracts of the Minutes of the Proceedings of the Court of Policy; and which, at the request of the court, I have the honour to lay before you. The extract
No. 3. of the 5th of March relates to the allowance of food and of clothing for the apprenticed labourers, and which, in the opinion of the court, is at present fixed at a higher rate for the slaves than necessary or proper. The court have caused a schedule upon a more moderate scale to be prepared. The existing schedule, and also the one proposed and recommended by the Court of Policy, will accompany the ordinance, in order that the subject may be fully before you, and that schedule inserted in the ordinance for the use of the apprenticed labourers,

labourers, which, after due consideration, may meet with the approbation of His Majesty's Government.

The Extract from the Minutes of the Proceedings of the Court of Policy of the 8th of March, relates to the expense to be incurred in the construction of the buildings which will be required for the use of the special magistrates and of the police establishments. I have had plans, sections and estimates prepared: a house for a magistrate, a barrack for a serjeant and 10 or 12 men, a gaol with distinct wards and a tread-mill cannot be constructed in this Colony for less money than 6,000 *l.* If we are to have 14 of such establishments, we shall require 84,000 *l.* to defray the expense of the buildings alone. The salaries of the magistrates and annual expense of the police establishment must also not be forgotten. In the present state of this Colony, the raising of the requisite funds is quite out of the question. We must content ourselves with three or four police establishments, in addition to the two already existing gaols; and even for the construction of this reduced number there will be no funds, excepting His Majesty's Government shall think proper to advance a certain sum, say 50,000 *l.*, as a loan, to be repaid with interest by instalments.

I have now only to express my earnest hope that the ordinance herewith forwarded will meet with His Majesty's most gracious approbation. It has caused, both to myself and to the members of the Court of Policy, a very long and fatiguing session, and has been the almost undivided object of our most serious attention for a considerable length of time. If we have, however, succeeded in framing a code in unison with the free institutions of the mother country, but at the same time sufficiently efficient to meet the exigencies of the colony, to maintain the public peace, and to protect every man in the possession of his rights and of his property, we shall feel amply repaid in the gratifying reflection that we have done our duty.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure 1, in No. 104.

REMARKS explanatory of certain points in which the Court of Policy have thought it necessary to deviate from the Prospectus transmitted by the Secretary of State, of the Legislative measures required to be taken to carry into effect the Act for the Abolition of Slavery, &c.

Enclosure 1, in No. 104.

Cap. I. Sect. 1. In the prospectus it is proposed to divide the Colony of British Guiana into not more than eight judicial districts.

The Court of Policy is of opinion, however, that British Guiana ought to be divided into at least 14 judicial districts, on account of the great extent of line over which the inhabited part of the Colony runs, being nearly 250 miles of sea-coast, and a nearly equal distance along the banks of the several rivers. The Court even contemplates the necessity of a division into a still greater number of districts, and has therefore introduced the words "not less than" 14 judicial districts.

Under the present judicial system, the Colony is actually divided into 14 districts, independently of the town of George Town, which, from its extent of population, affords ample scope for a district in itself.

Sect. 2. The prospectus proposes that one special justice shall be appointed to each of the districts.

The court is of opinion that at least three justices will be necessary for each district, as well because of the physical impossibility of one man performing the duties, from the great extent of the districts, as for the purpose of forming the district courts proposed to be established by the Ordinance.

Cap. III. (P and Q.) The schedules of food and clothing attached to this ordinance are adopted by the court in lieu of those established by the late Governor Sir B. D'Urban, in the formation of which the court has reason to suppose his Excellency was ill-informed or mis-advised, this court having never been consulted on the subject; and which schedules, if acted up to, would be found oppressively burthensome to the master and quite unnecessary for the maintenance and comfort of the labourer.

The present schedules, the court is of opinion, are on a scale of liberality fully adequate to, if not beyond the means of the planter, and not exceeded in any colony in the West Indies, and are well adapted to the necessities and comforts of the different classes of labourers to whom they apply.

Cap. VI. Sect. 2. The court has thought it necessary to restrict the residence of apprenticed labourers to the plantations or establishments on which they are employed, in place of, to the district, as in sect. 3, c. 7, of the prospectus.

This has been the practice of the Colony hitherto; every plantation having its village,

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and some of no mean compass; and on account of the extent of the plantations, as well as of the districts, any deviation from this salutary custom would open a door to irregularity of conduct and vagrancy, and perhaps to dangerous combinations.

Sect. 3. The distance of many of the districts from the towns renders it impossible for the labourers in most instances to attend the markets there; and it is only in the towns of George Town and New Amsterdam, and at the village of Mahaica, that markets are held.

The court has it in contemplation, however, to establish district markets wherever opportunity offers, or circumstances require them; but it would be imprudent to allow apprenticed labourers to quit their districts without passes, under the pretence of attending markets.

In this chapter, the exception contained in the 15th section of cap. 7 of the prospectus, has been omitted, the localities of this Colony allowing of the possibility, nay, even the probability, of a residence in the forest extending beyond two years' without discovery; and it is difficult to conceive any other instances of two years undisturbed possession of land by any apprenticed labourer without lawful authority.

In framing cap. 7, the court has not thought it necessary to provide for the payment of appraisers; the chief justice and the protector of slaves having stated that in no instance had any difficulty occurred in finding appraisers of the first respectability, who never expected or desired any remuneration.

19 March 1834. (signed) *J. Carmichael Smyth.*

Enclosure 2, in No. 104.

EXTRACT from the Minutes of the Proceedings of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its adjourned Assembly, held at the Colony House, George Town, Demerara.—Wednesday, 5 March 1834.

(After Prayers.)

Enclosure 2, in No. 104.

THE court then, with reference to the schedule of allowances of food and clothing proposed to be appended to the Bill for the regulation of apprenticed labourers, and which upon further consideration, it was now resolved to send forward to His Majesty's Government, accompanied with that published by Sir B. D'Urban, in order that His Majesty's Government may compare the one with the other; and in the event of the adoption of the latter schedule, it is to be understood that the measure is forced upon the court, as it was never consulted by Sir B. D'Urban on the framing thereof, although his Excellency was directed by His Majesty's Secretary of State to take the court's advice on the subject; and the modifications were intended to obviate superfluity, whereas the scales prescribed by Sir B. D'Urban have overlooked that object, and the Proclamation is left to impose a heavy burthen upon the proprietors of slaves, and must necessarily and obviously be felt in a greater degree after the apprenticeship commences, when their resources will be so much diminished: the court therefore trusts that the schedules proposed to be substituted will be found amply sufficient; the court unanimously being of that opinion, and assuring His Majesty's Government that they are to the full extent which the Colonists could possibly bear, even in the most prosperous times, besides being fully adapted to the wants of the apprenticed labourers.

The court request that his Excellency the Lieut.-governor will be pleased to forward an extract containing the preceding minute, with the ordinance for the regulation of apprenticed labourers, to His Majesty's Government.

(A true extract.)
(signed) *Charles Wilday*, Secretary.

Enclosure 3, in No. 104.

EXTRACT from the Minutes of the Proceedings of the Honourable the Court of Policy of the Colony and dependent Districts of British Guiana, at its adjourned Assembly, held at the Colony House, George Town, Demerara.—Saturday, 8 March 1834.

(After Prayers.)

Enclosure 3, in No. 104.

HIS Excellency the Lieutenant-governor, when forwarding a copy of the ordinance to the Right hon. the Secretary of State for the Colonies for His Majesty's approval, is requested to accompany it with the following resolution:

Resolved, That in passing the present ordinance, this court have been desirous to testify to His Majesty's Government, the anxiety to meet the views and suggestions of the Government on the deeply important matter which is the subject of it. But they feel it their duty earnestly to represent to His Majesty's Government the utter impossibility of providing, from the resources of the Colony, the large expenditure which will be required for the new police establishment intended by the enactment; and that unless this Colony is assisted by His Majesty's Government with the requisite funds, either by grant or loan, the Court of Policy are wholly unable to put in execution this important branch of the law.

Ordered, That an extract of this resolution be sent to his Excellency the Lieutenant-governor, for the purposes contained therein.

(A true extract.)
(signed) *Charles Wilday*, Secretary.

— No. 105. —

BRITISH GUIANA.
No. 105.

Copy of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor Sir *J. Carmichael Smyth.*

Sir, Downing-street, 24 May 1834.

I have received your Despatch of the 14th March last, together with the ordinance passed by the Legislature of British Guiana, for the government and regulation of apprenticed labourers in that Colony.

I have examined the ordinance with the greatest attention, and I have much satisfaction in conveying to you my opinion that it has been framed with a sincere desire to meet the wishes of the British Parliament indicated in the Act for the Abolition of Slavery, and the views of His Majesty's Government contained in the model draft transmitted to you in my Despatch of the 19th October last.

For the most part, indeed, the Legislature of British Guiana have followed the model draft with the most scrupulous exactness, and where they have departed from it, the modifications which have been introduced into the ordinance are in many instances well adapted to the local circumstances of the Colony, and calculated to promote the successful working of the new system about to be introduced.

The establishment of temporary police settlements, the appointment of constables or headboroughs in addition to the police, the institution of sessions of special justices under the superintendence of the stipendiary magistrates sent out from this country, the gradations of the jurisdictions to be respectively exercised by the single justice and the board, the definite regulation regarding the daily time which the prædial apprenticed labourer is to give to his employer, the prevention of the exhibition of the labourer's person when his services may happen to be sold, appear to me to be extremely judicious additions, and to afford a gratifying proof not only of the prudence but of the good feeling of the Court of Policy and yourself, from whom these provisions have originally and spontaneously emanated.

Appreciating as I do the pains which the Legislature of British Guiana has bestowed upon the preparation of this important ordinance, I think it an ungrateful task to enter into the exposition of its defects. I feel it my duty, however, to bring under your notice the deviations from the model draft which are of a less satisfactory character than those to which I have already adverted, and some of which appear to His Majesty's Government to require amendment.

1. I do not perceive any grounds stated in your Despatch, or in the minute of the Court of Policy, for the omission of the following regulations which were proposed in the model draft, namely, the 7th sec. of cap. 21 of the draft, which prevented the Governor from paying to the special justice his quarter's salary until the duplicate of his journal should have been duly transmitted; and the 9th, 10th, 11th, 12th and 13th secs. of the 6th cap. of the draft, under which the apprenticed labourers are compelled to maintain their children. The latter of these points, however, I should be unwilling to press against the opinion of the Court of Policy, who have the means of judging whether it is unnecessary to take any other security for the public than that which is afforded by the parental feelings of the labourers. As respects the journals of the special justices, although I am fully convinced of the importance of ensuring the regularity of their completion and the punctuality of their transmission, and of the efficacy of the plan which I had proposed for securing those ends, yet as I can effect the same objects with the assistance of the Lords Commissioners of His Majesty's Treasury, if experience should prove it to be essential, I do not consider it necessary to propose the insertion in the ordinance of the omitted provision.

2. The provisions of the draft forbade the confinement of females in the stocks between sunset and sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence. But by cap. 4, sec. 13, of the ordinance, this punishment may be inflicted for six consecutive days for 10 hours together, and during any part of the 24 hours, if between two successive confinements 14 hours shall elapse. In such intervals also the offender may be detained in custody, though

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not actually in the stocks. This last rule is probably necessary to prevent the escape of the female during the pauses of her punishment; but I am not disposed to admit the propriety of the greater latitude which the ordinance allows to the special justice, as respects the duration of the punishment and the time for its infliction. Presuming, however, that you will be able to furnish me with satisfactory grounds for this alteration, I shall not urge the restoration of the clauses originally proposed respecting this mode of punishment.

3. The doubts which you appear to have entertained as to the propriety of substituting for the food, maintenance and allowances authorized by Sir Benjamin D'Urban's proclamation of the 18th January 1833, the proposed schedules to the ordinance, marked P and Q, were founded on a perfectly correct view of the intent of the Slavery Abolition Bill.

Under that statute (sec. 11), the employer of every labourer is required to supply him "with such food and clothing and other allowances as by any law now in force in the Colony to which such labourer may belong, an owner is required to supply to and for any slave, being of the same age and sex as such apprenticed labourer shall be."

On the 28th August last, when the Act was passed, Sir B. D'Urban's proclamation of the 18th January 1833, issued under the authority of the order of the 6th November 1832, was in force in the Colony and had the authority of law there.

The schedule of food, &c. sanctioned by that proclamation must therefore continue in force in British Guiana during the apprenticeship, and must consequently be inserted in the place of schedules P and Q.

4. The 9th sec. of cap. 4 of the ordinance empowers the district sessions to adjudge the extra labour of the apprentices to be performed, "if necessary," after the expiration of the apprenticeship.

In order to render this provision consistent with the Slavery Abolition Act, it should be confined to those cases in which punishment may have been incurred by reason of such a wilful absence as is contemplated in the 20th clause of that Act.

5. The ordinance, cap. 4, sec. 14, enables the special justices to adjudge the hard labour to which the apprentice may have become liable, to be performed in the service or for the benefit of the employer.

I think that this clause is open to considerable objection; as it would necessarily withdraw the labourers undergoing this punishment, from the charge of the police and justices, under whose superintendence punishments are to be inflicted. And unless it were confined to the same maximum of time, viz. 15 hours per week, as the ordinary extra labour to which an apprentice may be subjected, it would contravene the Act for the Abolition of Slavery, and would moreover give to the employer a direct interest in the misconduct of the apprentice.

6. The model draft, cap. 7, sect. 4, authorized the resort of the apprenticed labourers to places of public worship, though beyond the district in which they might dwell; subject of course to the obligation of performing the prescribed amount of labour. The ordinance, cap. 6, sect. 3, authorizes the exercise of this right only on Sundays. It must, however, be remembered that in all societies of Christians dissenting from the Church of England, it is required by the established discipline or practice, that their members should meet together for devotional exercises on the week days. To interdict such observances to those who might wish to follow them, would, I think, be at variance with the policy and the principles by which Parliament was guided in passing the Slavery Abolition Act.

The same clause of the ordinance restricts within narrower limits than those which I had contemplated, the right of the labourer to attend markets, and confines him to one market only. So far from approving of this additional restriction, I have upon more mature consideration arrived at the conviction that the provision, even as originally framed, requires to be modified so as to afford the prædial apprenticed labourer a greater degree of liberty during those hours which are not to be devoted to his employer. I recommend therefore, that in the place of sect. 3, cap. 6, of the ordinance, the following clause should be substituted, viz.:

"Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special

special justice of the district, shall be liable to be apprehended and brought before a special justice; and unless such labourer shall make it appear to the satisfaction of such special justice that he or she, when so found, was employed upon his or her lawful occasions, such labourer shall be adjudged a vagabond, and punished accordingly."

Whilst upon this branch of the subject, I must observe that I feel justified in sanctioning the clause which compels the apprenticed labourers to reside upon the plantations or establishments on which they may be employed.

Having regard on the one hand to the importance of fixing the negro to a specified domicile during the apprenticeship, and on the other hand to the provisions in the Slavery Abolition Act requiring the employer to supply the apprenticed labourer with lodging, medical attendance, and with provision-grounds, within a limited distance from such lodging, I am satisfied that this restriction is expedient, and that it is not inconsistent with the intention of Parliament.

7. In my Despatch of the 13th inst., I have intimated to you that it would have been advisable to have laid down distinctly in cap. 10 of this ordinance, that the interest of the employer in the services of an apprenticed labourer should be liable to be sold under an execution, in satisfaction of the claims of a creditor. Although I have already expressed my decided opinion, that even as the ordinance is at present framed such an interest would be liable thus to be sold; yet, as this question has been agitated in the Colony, and as I think it of the highest importance that no check should be given to the credit of the proprietors in British Guiana, especially at the present moment, I have to desire that you will urge the Court of Policy to make such amendment in this chapter as may place this just right of the creditor beyond the possibility of litigation.

8. The last point to which I have to direct your attention, is the number of judicial districts into which you propose to divide the Colony. I regret that in distributing amongst the Colonies the number of special magistrates for whom the Imperial Parliament has provided stipends, I can only allot 12 to the Colony of British Guiana. It would be obviously advisable that each district and session should be under the superintendence of one of these stipendiary justices; and I think that if possible you should endeavour to reduce the number of districts to 12, and that at all events the ordinance should be framed so as to admit of such reduction, by fixing 12 instead of 14, as the maxium number of districts. If upon further consideration it should still appear to the Court of Policy and yourself desirable to adhere to the proposed number of 14 districts, it is expedient that some arrangement should be devised by which those districts which might happen not to be placed under the immediate superintendence of any of the stipendiary justices, should be regularly visited and inspected by one or more of these functionaries.

Having thus expressed my opinion upon the various points in which the Court of Policy and yourself have departed from the model draft, I have had to consider the course which it might be most expedient to adopt with respect to the confirmation of this ordinance by His Majesty in Council. I would gladly have confided to the Court of Policy, of whose just and proper views the ordinance exhibits so striking a proof, the exclusive task of remedying the defects which I have pointed out, or such of them as it might be indispensably necessary to remove, and I should have left this duty in their hands with the most entire reliance on their good will and discretion; but as this course would have led to considerable delay in issuing the certificate required by the British Act, from the date of which the claim to compensation accrues, with interest till payment, I have deemed it most for the advantage of the Colony to amend the ordinance by Order in Council, in such points as are indispensable for the purpose of enabling the necessary certificate to be issued, leaving objections of less importance to be dealt with as, on future consideration, yourself and the Court of Policy may deem expedient; and the ordinance so amended and approved by His Majesty, with the certificate entitling the Colony to its share of the fund from the 1st August, will be transmitted to you by the next opportunity.

I have, &c.
(signed) *E. G. Stanley.*

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No. 106.

— No. 106. —

Copy of a DESPATCH from Mr. Under-Secretary *Lefevre* to Lieut.-Governor Sir *J. Carmichael Smyth.*

Sir, Downing-street, 7 June 1834.

IN compliance with the promise of Mr. Stanley, expressed in his Despatch of the 24th ult., I have the honour, in the unavoidable absence of Mr. Secretary Spring Rice, to transmit to you an Order of the King in Council, dated 5th June 1834, declaring that an ordinance hath been passed by the Lieutenant-governor and Court of Policy of British Guiana, giving effect to an Act of Parliament for the Abolition of Slavery; and that, in consequence of having passed such ordinance, the said Colony is entitled to participate in the compensation awarded therein; and also confirming the ordinance, with certain exceptions and alterations.

I am, &c.
(signed) *John Lefevre.*

Enclosure in No. 106.

AT the Court at St. James's, the 5th day of June 1834;

Present,

The King's Most Excellent Majesty in Council.

Enclosure in No. 106.

Whereas by an Act of Parliament, passed in the third and fourth year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves," it is amongst other things enacted, that no part of the sum of twenty millions of pounds sterling therein mentioned, shall be applied or shall be applicable to the purposes therein mentioned, for the benefit of any person now entitled to the services of any slave in any of the Colonies therein mentioned, unless an order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such Colony, for giving effect to the said Act of Parliament, by such further and supplementary enactments as therein mentioned: And whereas on the 8th day of March 1834, an ordinance was enacted by the Lieutenant-governor, by and with the advice and consent of the Court of Policy of the Colony of British Guiana, intituled, "An Ordinance for the government and regulation of Apprenticed Labourers;" and whereas the said Ordinance was so enacted with the design of giving effect to the said Act of Parliament, by such further and supplementary enactments as in the said Act are mentioned: His Majesty doth therefore, by and with the advice of His Privy Council, and in pursuance and exercise of the power and authority in and by the said Act of Parliament in His Majesty in Council in that behalf vested, by this present Order declare, and it is hereby declared, that except in so far as certain parts of the said ordinance are hereinafter disallowed, and except in so far as certain parts of the said ordinance are hereinafter amended by the substitution of other provisions in lieu thereof, the said ordinance is approved, confirmed and allowed, and finally enacted; and that by the said ordinance, so in part disallowed and so amended as aforesaid, adequate and satisfactory provision hath been made in British Guiana for giving effect to the said Act of Parliament, by such further and supplementary enactments as therein are mentioned and required.

And whereas it is by the said ordinance amongst other things enacted, that the Colony of British Guiana shall be divided into not less than 14 judicial districts; now it is hereby ordered, that for the word fourteen, as occurring in the said enactment, the word twelve shall be substituted; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word twelve had been, and the word fourteen had not been, employed in the said enactment.

And whereas certain schedules, marked respectively with the letters P. and Q., are subjoined to and referred to in the said ordinance; now it is hereby ordered, that for the said schedule marked with the letter P., shall be substituted the schedule hereunto annexed, marked with the letter X., and for the said schedule marked with the letter Q. shall be substituted the schedule hereunto annexed, marked with the letter Y.; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the said schedules marked X. and Y. had been, and the said schedules marked P. and Q. had not been, subjoined to and referred to in the said ordinance.

And whereas it is by the said ordinance amongst other things enacted, that the privates in each settlement therein mentioned, shall receive pay at the rate of per diem, and the serjeant shall be paid at the rate of per diem; now therefore, the said last recited enactment

ment is hereby disallowed; and it is hereby ordered, that the pay of the serjeants and privates of each police settlement within the said Colony shall from time to time be determined by and according to such ordinances as shall from time to time be for that purpose enacted by the officer administering the government of the said Colony, with the advice and consent of the Court of Policy thereof, such ordinances being so made subject to His Majesty's approbation or disallowance, as in other cases.

And whereas it is in and by the said ordinance amongst other things enacted, that every such employer or manager of slaves as therein mentioned, shall at the time and in the manner therein mentioned, deliver a certain schedule marked with the letter O.; and whereas in the said enactment the word slaves hath by inadvertence been employed instead of the words apprenticed labourers; it is therefore further ordered, that for the word slaves, as occurring in the said enactment, the words apprenticed labourers shall be substituted, and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the words apprenticed labourers had been, and as if the word slaves had not been, employed in the said enactment.

And whereas it is by the said ordinance amongst other things enacted, that every non-prædial apprenticed labourer shall be bound and obliged to work and labour 10 hours in each and every day in the year, with such exceptions as therein mentioned, in the service and for the benefit of his or her employer, and it is thereby declared that a day's labour of a non-prædial apprenticed labourer shall be such a portion of specified work as can be performed by each non-prædial apprenticed labourer, by assiduous and steady industry, during the space of 10 hours; now it is further ordered, that for the word ten, as twice occurring in the said enactment, the word nine shall be substituted; and that the said ordinance, and each and every part thereof, shall be construed and carried into execution in such and the same manner as if the word nine had been, and as if the word ten had not been, so twice employed in the said enactment.

And whereas it is by the said ordinance amongst other things enacted, that it shall and may be lawful for such district sessions as therein mentioned to adjudge such extra labour as therein mentioned, if necessary, to be performed after the expiration of such apprenticeship as therein mentioned, and that if such labour shall be adjudged to be performed after the expiration of the apprenticeship, then it shall be lawful to adjudge such 15 hours per week, as therein mentioned, to be performed in addition to the number of seven hours and a half per day, to be reckoned a part of the number of hours adjudged to be performed, until the whole shall in like manner have been completed; now it is hereby ordered, that so much of the said ordinance as last aforesaid shall be and the same is hereby disallowed.

And whereas it is by the said ordinance enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer shall incur a penalty, to be imposed by the district session of special justices, not exceeding 20*l.*, with imprisonment for any time not exceeding one month in default of the payment of such fine; and that in any case as last aforesaid, it shall be competent for such district sessions to award the whole or any part of such penalty to the apprenticed labourer injured, as and for damages for such assault; and that it shall also be competent to such district sessions, if the case be of an aggravated nature, if it shall seem meet, to abstain from imposing such penalty, and commit the offender to take his trial for such offence before either of the supreme courts of the Colony having jurisdiction in the premises: And whereas doubts might arise whether, consistently with the provisions last aforesaid, it would be competent to any such apprenticed labourer as aforesaid to maintain any civil suit or action against such his or her employer for or in respect of any such injury as aforesaid; and doubts might also arise whether, consistently with such provisions, any prosecution could be commenced in either of the supreme courts aforesaid against any such employer as aforesaid for any such offence as aforesaid, unless the offender were committed to take his trial for such offence by such district sessions; now, for the removal of any such doubts, it is further ordered and declared, that it is and shall be competent for any such labourer as aforesaid to maintain any civil suit or action against his or her employer for any such whipping, beating, imprisonment, confinement in the stocks, maltreatment, or assault as aforesaid, and that any such employer shall for any such offence be subject and liable to be prosecuted, tried, convicted and punished before either of the supreme courts of the said Colony having jurisdiction in the premises, although he or she may not have been committed to take his or her trial for such offence by such district sessions, anything in the said ordinance to the contrary contained notwithstanding; provided nevertheless, and it is further ordered, that when and so often as any such employer shall, upon the complaint of any such apprenticed labourer as aforesaid, have been sentenced by any such district sessions to any such penalty as aforesaid, or shall by such district sessions have been committed to take his or her trial for any such offence as aforesaid, it shall not be competent for any such labourer as aforesaid to maintain any such civil suit or action as aforesaid for and in respect of the same act, matter or thing.

And whereas it is by the said ordinance amongst other things enacted, that every apprenticed labourer found beyond the limits of the district to which he or she belongs, or in which he or she may be employed, except in his or her way to or from some place of public worship on Sundays, and not having with him or her a written pass for that purpose from his or her employer, or from a special justice of such district, shall be liable to be apprehended and detained, and shall on proof and conviction that he or she shall have left his or her district without a pass, be adjudged a vagabond, and punished accordingly;

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provided however, that it shall be competent to every apprenticed labourer, of his or her own free will and without a pass, to attend, during his or her own time, any market of the district in which he or she may reside; be it therefore, and it is hereby ordered, that so much as last aforesaid of the said ordinance shall be and the same is hereby disallowed.

And it is further ordered, that if any apprenticed labourer shall be found at any place distant more than five miles from his place of residence, not having with him a written pass for that purpose from his or her employer or from some one or more of the special justices of the district to which he or she belongs, such apprenticed labourer shall be liable to be apprehended and taken before any special justice, and upon proof before such justice made of the facts aforesaid, such apprenticed labourer shall be adjudged a vagabond and punished accordingly; provided nevertheless, that nothing herein or in the said ordinance contained shall subject to any such punishment any apprenticed labourer absenting himself or herself without such pass as aforesaid, at any distance within the said Colony from his or her residence, during any time in which he or she may not be bound to labour in the service of his or her employer, if such apprenticed labourer shall be so absent in the prosecution of his or her lawful business, or in attendance upon, or in the way to or from, any place of public worship, and shall establish to the satisfaction of any special justice before whom he or she may be so brought, that his or her absence took place during such time only, and was occasioned only by any such cause only as aforesaid.

And whereas it is by the said ordinance amongst other things enacted, that the right or interest of any employer or employers to and in the services of any such apprenticed labourer aforesaid shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to the provisions of the said Act of Parliament: And whereas doubts might arise whether such right or interest would also be liable to be seized and taken in execution, and sold under process of law, in satisfaction of any sentence or judgment of any court of competent jurisdiction; now, for the removal of such doubts, be it further enacted and declared, that such right and interest as aforesaid is and shall be liable to be seized and taken in execution and sold under process of law, in satisfaction of any sentence or judgment of any court of competent jurisdiction: Provided always, that no such apprenticed labourer shall, under and by virtue of any such seizure or sale in execution, be liable to be dealt with in any manner prohibited by the said Act of Parliament or ordinance, or deprived or be debarred from the exercise of any right by the said Act of Parliament or ordinance, or by this present Order, in such apprenticed labourer vested.

And the Right honourable Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *C. C. Greville.*

SCHEDULES of Allowances of Food, Clothing, and Household Furniture, to be given to Slaves in the Colony of British Guiana.

(X.)

Weekly Allowance of Food.

Description of Persons.	Salt Provisions.	Plantains,	Or other Farinaceous Food in lieu of Plantains.
Class 1: Males or Females above the age of 12 years.	3 pounds of salt fish (cod), or 4 pounds of herrings, mackarel, or shads; or 2 pounds of salt beef or pork; or 4 pounds of fresh beef or pork, with half a pint of salt.	2 bunches of full-grown plantains, weighing at least 35 pounds each; if less, the deficiency to be made up, that is to say, the allowance not to be less than 70 pounds weight, without reference to bunches.	25 pounds of yams or potatoes, or 20 pounds of eddoes or tanyahs, or 10 pints of wheat flour, or 10 pints of Indian corn meal, or 10 pints of rice.
Class 2: Boys and Girls under the age of 12 years.	One half of the above.	One half of the above.	One half of the above.

(Y.)

Yearly Allowance of Clothing.

Males: 1 felt hat, 1 blue cloth jacket (lined), 1 pair of blue cloth trousers, 1 pair of duck trousers, 1 linen check shirt, 1 red woollen shirt, 1 woollen cap, 2 salempores laps, 1 knife, 1 razor, 1 blanket.

Females:

Females: 1 felt hat, 2 handkerchiefs, 1 woollen wrapper, 1 pennistone petticoat, 1 check shift (5 yards), 1 salempores petticoat (4 yards), 1 blanket, 1 pair of scissors.

Children, from one to five years old, to have each, 3 check shirts, 1 blanket, and 1 woollen cap.

Infants: 1 piece of calico and 5 yards of check each.

(Z.)

Allowance of Household Furniture.

To each dwelling-house, 1 table for meals.

To each of the persons in Class 1 of Schedule X., a saucepan for cooking, yearly.

To each family an iron pot for cooking, yearly.

— No. 107. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Stanley*.

Sir, Camp House, Demerara, 26 March 1834.

No. 107.

IN the 2d section of the 4th cap. of the ordinance for the government and regulation of apprenticed labourers, forwarded with my Despatch of the 14th instant, you will observe that ten hours had been printed as the portion of time due by the non-prædial apprenticed labourer to his employer, to be spent in steady and assiduous daily labour. In reading over the printed copy, I observed this (as I conceived) error of the press, and having pointed it out to the secretary of the Court of Policy, directed him to alter the word ten to the word nine; which last number is the greatest number of hours of labour to which, under the 90th and 91st sections of His Majesty's Order in Council of the 2d November 1831 (in force in this Colony) a master is entitled to the labour of his slave; and, of course, assuming that it never had been contemplated to insist upon any greater extent of work from an apprenticed labourer. At the meeting, however, of the Court of Policy this morning, two or three of the Colonial members stated to me, that the word ten had been intentionally introduced, and was not, as I imagined, an error of the press or of the copying clerk. I stated to them, that if the ordinance in question had been to have been forthwith promulgated and acted upon, I never could have agreed to any enactment so decidedly at variance with the existing law, and under which the non-prædial apprenticed labourer would be liable to be compelled to work one hour more per day, when in a state of apprenticeship, than he did when in that of slavery. I added, that however, as the ordinance in question had to be submitted for His Majesty's approbation, I did not think it worth while to renew the agitation and discussion of a subject which had already so completely occupied us for such a length of time; that in this view of the subject, it was to me a perfect matter of indifference whether the words nine or ten were in the enactment; but that I should feel it my duty to draw your attention to the subject, in order that previously to the ordinance being approved of, the number of hours which the non-prædial apprenticed labourer is to be called upon to devote to the service of his employer, might be strictly designated and explained. With this my determination, all the gentlemen present were satisfied; and the words nine or ten, in the 2d section of the 4th chapter of the ordinance in question, page 9, and in the very last line of that page, are to be the words of the ordinance, according as to you may seem fit.

I have, &c.

(signed) *J. Carmichael Smyth.*

P.S.—Since writing the above, I have received the enclosed letter from Mr. Rainey, a member of the Court of Policy, and which I consider it my duty to submit to you, together with my own views of the matter alluded to.

J. C. S.

BRITISH GUIANA.

Enclosure in No. 107.

Sir, George Town, 25 March 1834.

Enclosure in No. 107.

At the suggestion of the committee of the Court of Policy, which had been appointed to accompany the ordinance framed for the government of apprenticed labourers with some explanation, I beg respectfully to mention, that it was omitted to state that the definition contained in the 2d section of the 4th chapter, as declaratory of what should be deemed a day's labour of each class, was suggested by what is contained in the 22d section of the 6th head of the plan prepared by Lord Goderich for emancipation, and proposed by His Majesty's Government in February 1833; and which it was deemed the more necessary to adopt on this occasion, as the enforcement of any other than voluntary task-work appears to be objected to.

I have, therefore, respectfully to request that your Excellency may be pleased to notice this additional explanation, in any further Despatch which may be called for in relation to the details of the 1st and 2d sections of the 4th cap. of the ordinance; as well as to notice the fact, that as, in the chartered Colonies, the day's labour is understood to be ten hours' work, it is to be presumed that the non-prædial labourer will still have to perform ten hours daily work there, under the new system; and a restriction to nine hours here, would place us under a relative disadvantage in regard to a law which, it is presumed, is intended to be of equal and universal operation in all the Colonies.

To his Excellency Sir J. Carmichael Smyth, &c. &c. &c.

I have, &c.
(signed) *George Rainey.*

— No. 108. —

Copy of a DESPATCH from Lieut.-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Stanley*.

No. 108.

Sir, Camp House, Demerara, 2 July 1834.

I beg leave to lay before you a précis of the monthly reports for May and for April, as received from the three fiscals and the local magistracy; I also beg to submit to you a précis of the monthly reports from the clergy, for the same periods; I also beg to draw your attention to the monthly reports from the protectors, for the month of May. A perusal of these documents will, I beg respectfully to observe, not only put you in possession of the feelings of the negro population, but of the temper and disposition of each individual magistrate. As a whole, nothing can be more satisfactory than these documents, although to some of the gentlemen in the commission of the peace, things do not appear in so favourable a point of view as they do to others. At Berbice, you will observe with pleasure that there has not been a single complaint made to the slave protector for the last two months, and very few indeed to the protector in Demerara and Essequibo.

2 June 1834.

I beg leave to draw your attention particularly to a letter from John Ross, esq., one of the justices of the peace in the district of Berbice, and a very large proprietor. I am very sorry that private affairs require Mr. Ross's absence from this Colony for some time. A gentleman capable of acting at once in so manly and decided a manner, and ready to afford most willing aid in forwarding the views of His Majesty's Government, is at the present moment a serious loss. I am happy to say that several of the largest proprietors in the Berbice district have acted in the same manner as Mr. Ross has done, and have already given to their negroes the whole of Saturday to themselves; Mr. Simon Frazer, a member of the Court of Policy, is amongst the number.

Notwithstanding the general favourable appearance, great vigilance and great caution are however still indispensable. All attempts to impose upon the negro, or to exact from him more than a fair proportion of work, must be as sedulously guarded against on the one side, as any act of insubordination on the other; either would equally lead to the interruption of the peace of the province. Eight or ten days ago an ill-judging overseer or manager of an estate upon the East coast, added one fourth to the labour of the slaves employed in cutting canes. To every three cutters it had been the custom to allow one carrier, to carry the canes to the boat which conveys them to the mill. The manager most injudiciously took away the carrier, but required nevertheless that the canes from the same number of beds should be cut and conveyed

conveyed to the mill. This order created a good deal of excitement, and still more when the manager attempted to enforce it by ordering those slaves who had not completed this additional task to be confined. The manager was obliged at length to apply to the neighbouring magistrates for advice and assistance, and a considerable number of slaves were brought to trial without delay. As soon as I heard of these proceedings, I forthwith directed the fiscal of the district to proceed to the estate, and to investigate and report to me as to the cause and extent of these disturbances; I also sent the slave protector to the estate, with instructions to assemble the negroes and to inquire into their complaints or grievances. I further sent for the books containing the proceedings of the magistrates, that I might be enabled to judge of the degree of criminality which might attach to the slaves, and as to the nature of the misconduct of which they had been convicted. These prompt measures prevented any further tumultuous proceedings; and I have no reason to anticipate the occurrence of any similar transaction. I have only alluded to the circumstances, to show the necessity of an active and vigilant superintendence, as being indispensable for the maintenance of the public tranquillity. I beg to submit a copy of my Minute, as addressed to the slave protector upon his report, and which I trust will meet with your approbation.

I beg to add, that as the time of the slave protector is so very fully and completely occupied in preparing the details of those errors in the classification of the slaves, which are to be referred to the judges in a few days for their decision, so that every arrangement may be completed before the 1st August, I have felt it absolutely necessary to afford him the aid of an assistant for the remainder of the period of the duration of his office. I trust that you will approve of this measure.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure in No. 108.

Sir, Rossfield, Berbice, 2d June 1834.

Enclosure in No. 108.

I HAVE had the honour to receive your Excellency's communication of 10th May, calling on certain gentlemen, among whom your Excellency is pleased to deem me worthy of being named, to assemble and meet in George Town, and having duly read and reflected upon documents and information to be laid before them, to give expression to their sentiments regarding the extent of task-work which may be considered a fair and equitable arrangement between his employer and the future apprenticed labourer, whose labour, it is to be borne in mind, will be limited by law to seven and a half hours per day.

Whilst I pray for a favourable interpretation and acceptance of my apology for not attending that meeting (no day having been named for the meeting), and on the eve of quitting the Colony, I beg to assure your Excellency, that in no circumstances except of extreme necessity would I decline any duty to which I might be thought equal; and least of all would it be fitting that any member of the community, claiming to be a loyal subject, should shrink from his duty at a moment fraught with events that may, whether for good or for evil, stamp their character on, and influence the future destinies of this valuable province.

In obtruding individual opinions regarding the business of conducting estates during the apprenticeship, I feel that the amplest apology is called for; but it may not be uninteresting to your Excellency to know the result of my experience of a system (in strict harmony with the 5th section of the Abolition Act) I put in operation on two estates on the 1st March last, with a degree of success far surpassing my most sanguine hopes at the time. Having assembled the negroes and explained my desire to make them acquainted with the approaching apprenticeship system before leaving the Colony, I placed it in their option to choose between labouring as now, without any alteration of task or otherwise, for five legal days at nine hours, the sixth to be at their disposal, or working for 7 ½ hours daily for six days, with a corresponding reduction of task. The negroes did not hesitate to adopt the former, with every expression of gratitude for the boon; and their reasoning on the latter mode was to me conclusive.

"After working 7 ½ hours," said they, "we must rest a little; then the day is lost, we have no time to hire ourselves out or work much at our grounds; but if the extra time allowed by law be thrown together into a day, we shall know how to employ it." I am thoroughly convinced this would be the language of every prædial labourer in British Guiana, were he consulted. I stipulated with my people, that every day lost by skulking in the hospital must be made good by the party out of his own spare time. The consequence is a complete abandonment of skulking, and the average in hospital never exceeds 3 per cent. (it used to be 12): thus the field gang is so much stronger, I estimate I lose little

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or nothing by the change. A change too that created a considerable sensation and some alarm in the neighbourhood, but has since been adopted by two or three estates with the like happy result.

His Excellency Major-general Sir J. C. Smyth, Lieut.-governor, &c. &c. &c.

(signed) *John Ross.*

— No. 109. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice.*

Sir, Camp House, Demerara, 29 July 1834.

No. 109.

I have the honour to lay before you a Proclamation, which I have felt it my duty to issue, directing the several churches and places in which divine worship is performed, to be opened on Friday the 1st August; I also beg to transmit an authenticated copy of an Ordinance passed by myself, with the advice and consent of the Court of Policy, enjoining a cessation from labour to be allowed to all apprenticed labourers for that day, in order that they may be at liberty to attend on that day to the worship of Almighty God; and to return thanks for the great and important change in their situation, and which commences on that day.

I hope that both the Proclamation and the Ordinance will meet with the most gracious approbation of His Majesty.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure 1, in No. 109.

BY His Excellency Major-general Sir *James Carmichael Smyth,* Baronet, K.C.B., &c. &c. Lieutenant-governor and Commander-in-chief in and over the Colony of British Guiana, Vice-Admiral and Ordinary of the same, &c. &c. &c.

Enclosure 1, in No. 109.

Whereas slavery will cease on Friday the 1st of August throughout the British dominions; and whereas it is incumbent upon each and every inhabitant of British Guiana (to whatever church or form of the Christian religion he may be attached) to return his humble and grateful thanks to Almighty God, to whose watchful and unerring Providence alone it is to be attributed that this great change in the relations of society in this Colony has been so far conducted without the slightest disturbance or interruption of the public tranquillity: I do hereby, by virtue of the power and authority vested in me by His Majesty, command that all the churches, chapels and places dedicated to the worship of Almighty God, in the province of British Guiana, shall be open on Friday the 1st of August, and that divine service shall be therein severally performed twice (at the least) on that day; and I do further earnestly request of the several rectors, ministers and curates to prepare, and to deliver from the pulpit, appropriate and suitable religious exhortations and advice to their respective congregations.

Given under my hand and seal of office, at the King's House, in George Town, British Guiana, this 15th day of July 1834, and in the fifth year of His Majesty's Reign.—God save the King.

By his Excellency's command.

Enclosure 2, in No. 109.

An Ordinance to declare the 1st day of August 1834 a day of Rest for the labouring Population of British Guiana.

Enclosure 2, in No. 109.

Whereas his Excellency Major-general Sir James Carmichael Smyth, baronet, Lieutenant-governor of this Colony, having by his proclamation of the 15th July present, been pleased to declare that all the churches, chapels and places dedicated to the worship of Almighty God in the province of British Guiana shall be open on Friday the 1st of August next, and that divine service shall be therein severally performed twice at least on that day:

And whereas it is expedient that opportunity should be afforded to the labouring population of this Colony to resort to places of worship on the said 1st day of August next:

Be

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Be it therefore enacted, by his Excellency the Lieutenant-governor of British Guiana, with the advice and consent of the Court of Policy thereof, that for the hereinbefore rected purposes, the 1st day of August next shall be a day of rest and cessation from labour to all the labouring population of this colony.

And that no ignorance shall be pretended for this our ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Extraordinary Assembly, held at the Court House, in George Town, Demerara, this 19th day of July 1834, and published on the 22d following.

By command, (signed) *J. Carmichael Smyth.*

(signed) *Charles Wilday*, Secretary.

— No. 110. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Major-General Sir *J. Carmichael Smyth.*

No. 110.

Sir, Downing-street, 2 October 1834.

I HAVE received and have laid before the King your Despatch of the 29th July last, enclosing a Proclamation for the celebration of divine worship on Friday the 1st August, throughout the Colony of British Guiana; and an Ordinance passed by yourself, with the advice and consent of the Court of Policy, enjoining a cessation of labour to all apprenticed labourers for that day. His Majesty is graciously pleased to confirm and allow the ordinance in question, and commands me to signify to you His approbation of the very great anxiety and good feeling which you have evinced in taking such measures as you felt to be requisite in order to give full effect to the change in the social system of Demerara, produced by the altered condition of the apprenticed labourers.

I have, &c.

(signed) *T. Spring Rice.*

— No. 111. —

EXTRACT of a DESPATCH from Major-General Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 29 July 1834.

No. 111.

I HAVE the honour to acknowledge the receipt of His Majesty's Order in Council of the 5th June, forwarded to me by Mr. Lefevre, in his communication of the 7th of the same month.

Immediately upon the receipt of His Majesty's Order in Council, as above alluded to, I caused the same to be promulgated; and I forthwith nominated the special justices of the peace to the 12 judicial districts, into which number, instead of 14, the province has been divided. You are however, Sir, no doubt aware, that instead of 12 special stipendiary magistrates, I have only as yet four arrived from England.

I take the liberty of submitting to you a printed copy of the Instructions I have given to each special magistrate, whether stipendiary or otherwise. I hope that these Instructions, together with Tariff of Labour attached to them, as also the other enclosures, will be honoured with His Majesty's approbation.

Enclosure in No. 111.

INSTRUCTIONS for each Special Justice of the Peace in and for the Province of British Guiana.

Enclosure in No. 111.

Sir,

1. IN selecting you to fill the important office of a special justice of the peace in this province, and in calling upon you to contribute, by an exact and vigilant discharge of the duties attached to that appointment, to the maintenance of the public tranquillity and the welfare of this community, His Majesty's Government has manifested a confidence in your

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loyalty, in your moderation, and in your good sense, which I feel convinced you will upon every occasion be anxious to show has not been misplaced. The nature of your duties and the extent of your authority are so clearly explained in the enactments of the ordinance for the government of the apprenticed labourers, that I might perhaps with perfect propriety have contented myself with merely forwarding to you a printed copy of the ordinance, and of His Majesty's Order in Council ratifying the same. My anxiety, however, not only for the continuance of the present tranquillity, but for the future prosperity of this magnificent province, has induced me to trouble you with the few following additional suggestions for your guidance. The public tranquillity may unquestionably be preserved, and the prescribed amount of labour, as allowed by law, be obtained from the apprenticed labourers, without any very great exertion on the part of the special justices. This, however, would be but a very confined view of the nature of your duties. I trust and hope, that by a strict and impartial administration of justice; by affording a ready access to, and being in constant communication with, the apprenticed labourers; by accustoming them to look to the justices as their protectors, and to the law as the safest and surest mode of obtaining redress; a kind and a friendly feeling will be generated between the landed proprietor and the labourer, from which the happiest effects may be hereafter expected. Force and coercion have had their day; gentler methods are now to be resorted to. The labourer will hereafter work, induced by a desire to obtain that food, those clothes, and those little luxuries and comforts, which otherwise he must go without. It will be your business, as far as your influence and your authority extend, to prepare him during his apprenticeship to appreciate the value of industry, and to show him practically the additional blessings it is in his power to obtain for himself and his family by industrious habits. When once the apprentice feels that he enjoys some benefits from his labour, there is every reasonable prospect of his continuing to labour when free from all restraint.

2. Taking the principles I have endeavoured to explain as your guide, you will see the policy as well as the justice of strictly enforcing the delivery to the apprenticed labourers of the clothes to which they are severally by law entitled. It would be a very short-sighted policy that would withhold a single article. The negroes are fond of dress; and this harmless feeling, advancing them in civilized life, and deterring them from retreating to the bush, (if not pushed to any blameable excess), is one that, in sound political discretion, ought to be encouraged.

3. There are two modes in this Colony of feeding the apprenticed labourers, and the choice of which plan he may prefer is by law left to the employer. The first plan is to allot a piece of ground (the extent and quality of which must be approved of by the special magistrates), and to allow 40 working days to each apprenticed labourer for the cultivation of the same. The second mode is to issue a certain quantity of plantains and salt fish, (according to a tariff), or certain substitutes. It is my earnest wish that you should exert all your influence in recommending the first. The labourer having his own piece of ground, from the produce of which he will have been in the habit of feeding himself and his family, will not feel that anxiety, when his apprenticeship is at an end, to remove to some other estate, where he might otherwise be disposed to go in search of employment and imaginary better treatment. The apprenticed labourer, who merely receives from his employer a ration of salt fish and of plantains, (and which allowance he can obtain upon any estate), will not be deterred by similar reasons from quitting his employer the moment he is free from restraint. It appears to me that all those planters who are interested in the future welfare of this province, and who look forward beyond the period of the six-year apprenticeship, ought not to hesitate in adopting the plan which I feel it my duty, for the reasons I have assigned, strongly to advocate.

4. The ration by law is, to each adult apprenticed labourer, 3 lbs. of salt fish and 70 lbs. of plantains per week, or 156 lbs. of salt fish and 3,640 lbs. of plantains per annum. The value of the salt fish may be stated at 23 guilders 8 stivers, and of the plantains at 62 guilders 10 stivers. The sum total required for feeding an adult apprenticed labourer per annum, is consequently 85 guilders 10 stivers, or 6 *l.* 2 *s.* 4 ½ *d.* It may at first sight appear that the loss of the 40 days of labour from an adult apprenticed labourer, would be of more consequence than the 85 guilders 10 stivers required to feed him or her; but the number of children of both sexes who are to be fed at the cost of 42 guilders 19 stivers each, or 3 *l.* 1 *s.* 2 ¼ *d.* each, is also to be considered. The planters will, in all probability, in general adopt that plan calculated for their own more immediate convenience. The policy, however, of allotting land, and of granting the time required for its cultivation, cannot, in my opinion, be controverted. It would tend much towards the encouragement of the industry and the improvement of the morals of the apprenticed labourers, independent of the advantages of attaching them to the estates, with which they would thus, as it were, have their interests more immediately identified. I trust you will do all in your power to recommend the allotment of land to the attached prædial apprenticed labourers, and to procure, as much as possible, its adoption.

5. The weekly allowance of salt fish and plantains has been represented to me by several gentlemen, whose honour and veracity I can depend upon, as being more than is required by a labouring man; and it has been stated to me, that it is the general custom to issue not more than 2 lbs. of salt fish and 56 lbs. of plantains per week, and to make up to the labourer the value of the difference with sugar, rum, tobacco, and other extra articles not mentioned in the tariff. To any amicable arrangement of this sort I can have no objection, provided the labourer is satisfied. If on any estate there should be any complaints on the part of the apprenticed labourers as to an insufficiency of food, or in any way

connected with the subject of their provisions, it will be your duty to enforce the tariff with the utmost punctuality. On the other hand, it is a very material object, and one quite in unison with that good feeling between the landlord and the labourer which I feel it my duty by every means in my power to encourage, that the latter should feel that his comforts and his happiness will very much depend upon his own good conduct, and upon the approbation of his employer. I wish that the apprenticed labourer should always be instructed to complain to his employer in the first instance, and not be encouraged to apply to the special justice, excepting it is of his employer himself he has to complain, or that he cannot otherwise obtain redress.

6. The next point to which I wish to draw your attention, is the quantity of labour which ought to be performed by the prædial apprenticed labourer for his employer. The time the prædial apprenticed labourer is to dedicate to the service of his employer is, you are well aware, limited to 45 hours per week, or at the rate of 7 ½ hours for each of the six working days of the week. In order to procure some data upon which a reasonable scale could be framed, I addressed circular letters, proposing certain queries, to His Majesty's justices of the peace generally throughout the province; and several gentlemen accustomed to the management of estates, were good enough, subsequently to the replies from the justices, to form themselves into a committee, (at my request), and from the reports of the justices, aided by my own experience, to prepare a scale of labour, accompanied by a report. The scale, as also the report, I shall cause to be attached to these instructions. The scale, after all the pains which have been taken about it, can be but of comparatively little use, as its application must depend so much upon the weather and other circumstances. In wet weather, the work of the labourer in this colony is heavy; in dry weather he can do more, and with less exertion. The scale, however, is a very desirable document, and, aided by your own experience and observation, will enable you to form some judgment as to the diligence or idleness of the labourers.

7. You are aware that the apprenticed labourer, when in a state of slavery, was obliged to work 54 hours per week, or at the rate of nine hours per day, for each of the six working days of the week; and that, as an apprenticed labourer, he will have nine hours per week additional time to himself. It will be of infinite advantage to the apprenticed labourer, that these nine hours of diminished labour should be given to him on one day, so that he may have that day completely to himself. It will also equally benefit the employer, by the increased good-will with which the labourer will exert himself on the five days he will have to work for his master, and by the confidence and gratitude he will feel for this indulgence. I shall add to these instructions a copy of a letter from a most respectable proprietor in the Berbice district, John Ross, esq., which is to me conclusive upon this matter. I earnestly request of you to draw the attention of the proprietors and managers of estates in your district to this subject. Saturday is the day which I am most anxious to obtain for the apprenticed prædial labourers. If they had Saturday to themselves, I should be enabled forthwith completely to abolish the Sunday markets, which, so long as the labourer has to work on Saturday the same as on any other day, I am necessarily compelled to connive at. I have to beg that you will use every endeavour and your best exertions in pointing out to the proprietors and managers the propriety of voluntarily allowing Saturday to the labourers; to whose labour, at the rate of nine hours per day for five days in the week, they will then be entitled.

8. The last, but certainly not the least, important matter on which I am anxious to explain to you my views, is the power vested in you by the 8th section of the 6th chap. of the ordinance for the government and regulation of apprenticed labourers, relative to the binding out as apprentices the children of apprenticed labourers who may not have attained the age of twelve years, provided it should be made to appear to your satisfaction that such children are not provided with an adequate maintenance. This is a power which you will see the propriety of exercising with the greatest moderation and circumspection. Excepting the parents are idle, dissipated and worthless, there can be no apprenticed labourers, who, from the different uses to which they will be able to apply their own time, will not be in a condition to maintain their children until they may become old enough either to assist their parents, or to gain their own livelihood by working on the estate. It was not my intention originally to have given my sanction to this enactment as it now stands. It was my idea, that the power of apprenticing out the children in question should have been given to the district sessions, and not to the individual magistrate. In agreeing to this enactment, I have given to the colonial special magistrates the strongest pledge of my conviction of the integrity, rectitude and impartiality with which they will discharge their duties.

(signed) *J. Carmichael Smyth.*

Governor's Apartments, Guiana Public Buildings,
1 August 1834.

(Appendix A.)

Sir, George Town, Demerara, 31 May 1834.

I HAVE the honour to enclose to your Excellency, the report of the gentlemen whom you selected to sit as a committee, for the purpose of preparing a scale of task-work for the prædial apprentices of British Guiana, to commence after the 1st August next, as compared with that now performed by them in nine hours, to which the laws at present in force in the Colony restrict agricultural labour.

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All the gentlemen attended, with the exception of Messrs. Cameron and Ross, from Berbice; to whom, however, notices had been sent. But as the papers put into my hands by Lieutenant-colonel Hammell contained the reports of these gentlemen to your Excellency, their absence was not so material.

Your Excellency will observe, that the committee have judged that it would be more satisfactory to the apprenticed labourers, if the present work were continued by them to be performed for five days in the week, and to give them one clear day to themselves, exclusive of Sunday. But as the Act of Parliament and the Colonial enactments leave the selection of the extra time to be given the apprentices, at the option of the employers, either to be spread over the whole six working days in each week, or to be consolidated in one day, the committee consider that this mode of apportionment, if adopted, should be represented to the labourers as a boon conferred by their employers, and conditional on the good and orderly conduct of the former.

Although the committee have taken much pains to arrive at an equitable and fair scale of task-work, yet they are sensible that on every estate much must depend on the sound discretion and judgment of the party in charge, as to circumstances of weather, season, soil, &c.; but under an average of all these considerations, they consider it moderate and just to both parties.

To His Excellency
Sir James Carmichael Smyth, Bart.
Lieut.-Governor, &c. &c. &c.

I have, &c.
(signed) *Charles Bean*, Chairman.

(Appendix B.)

AT a Meeting held at the Colony House in George Town, Demerara Colony of British Guiana, on this 29th day of May 1834:

Present, Charles Bean, Esq. Chairman;

J. G. Reid, N. M. Magnet, George Warren, Andrew Jackson, Thomas Blake, William Fraser, Colen Simson, Walter Urquhart, Alex. Macrae, Esquires;

For the purpose of taking into consideration and of replying to a circular letter bearing date 10th May 1834, and addressed by his Excellency the Governor, Sir James Carmichael Smyth, to the members now present at this meeting, requesting them to favour him with their opinions as to the extent of task-work which may be considered as a fair and equitable arrangement between the employer and the future apprenticed prædial labourer, taking the labouring hours of each day to be limited to 7 ½ hours.

The Meeting, after maturely considering the subject, and after having examined with care and attention the various documents laid over by his Excellency the Governor, and trying the different scales of task-work, as stated in those documents, by the test of their own experience, have come to the resolution of submitting to his Excellency the following scale of task-work for effective prædial labourers, in periods of nine (9) hours, and of seven and a half (7 ½) hours, calculating the labour to be of an assiduous and steady character.

SCALES of TASK-WORK for effective prædial apprenticed Labourers, in the Colony of British Guiana, as laid down by the undersigned, appointed as a Committee for that purpose by his Excellency Sir James Carmichael Smyth, Governor and Commander-in-Chief, &c. &c. in and over the said Colony and its dependencies:—

DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 ½ Hours.
CANE CULTIVATION:		
Digging new navigable canals, 12 feet wide and five feet deep, and throwing the ground on both sides	600 cubic feet	500 cubic feet.
Throwing back a six foot parapet from the above, and levelling the ground	72 feet in length	60 feet in length.
Digging new punt trenches as above, where the ground is all thrown on one side	480 cubic feet	400 cubic feet.
Throwing back six feet parapets from above	48 feet in length	40 feet in length.
Digging new small drains 2 × 2 land cleared	18 roeds	15 roeds.
Throwing out small drains one shovel deep	50 roeds	42 roeds.
Holing or banking land 2 ½ × 2 ½	36 roeds	30 roeds.
Shovel ploughing new holed land a shovel deep, and rounding beds	72 roeds	60 roeds.

BRITISH GUIANA.

DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 ½ Hours.
CANE CULTIVATION—*continued.*		
Hoe ploughing and planting one row of the above with two rows of plants, the plants being on the parapets	60 roeds	50 roeds.
Weeding, moulding and supplying plant canes, first time, in holed land	90 roeds of 1 row	75 roeds.
Weeding and moulding plant canes, second time	100 roeds	86 roeds.
Weeding and moulding ratoons	120 roeds	100 roeds.
Weeding and trashing canes	120 roeds	100 roeds.
Cutting and carrying canes, where the carriage does not exceed 18 roeds	2 labourers to load a punt 28 × 7 ½, and 3 feet deep, 600 cubic feet	500 cubic feet.
Ditto, ditto for one hogshead of sugar per diem	11 labourers	13 labourers.
Relieving and tying trash ratoons	120 roeds	100 roeds.
Supplying only, first time	120 roeds	100 roeds.
Relieving and supplying at same time	60 roeds	50 roeds.
Shovel ploughing a space between (two feet wide) cane rows	60 roeds	50 roeds.
Drilling two feet wide, one shovel deep	36 roeds	30 roeds.
PLANTAIN CULTIVATION:		
Weeding and trimming plantain walks	5 labourers to 1 acre	6 labourers to 1 acre.
Digging plantain suckers	200 each labourer	160 each labourer.
Ditto holes for ditto, 15 inches square	120 ditto	100 ditto.
Planting ditto, suckers at hand	150 ditto	125 ditto.
Cutting firewood and cording ditto, carriage not over 20 roeds	128 cubic feet, or 8 feet × 4	107 cubic feet or 6 feet 8 inches × 4.
COFFEE CULTIVATION:		
Digging holes 18 inches square, for coffee plants	120 each labourer	100 each labourer.
Planting coffee in the above, the plants being on the spot	100 ditto	85 ditto.
Weeding coffee, and pulling off water sprouts and vines from the trees	5 labourers to 1 acre	6 labourers to 1 acre.
It is impossible to fix any scale of task work for picking coffee, as the quantity to be picked by each individual must entirely depend upon the quantity of ripe fruit on the trees.		
Trimming coffee trees after crop, and cutlassing vines on the trees	4 labourers to 1 acre	5 labourers to 1 acre.
Assorting first quality coffee, after being stamped, winnowed and sifted	150 lbs.	120 lbs.
Inferior and drift coffee	75 lbs.	60 lbs.
Cutting bunches of plantains and carrying them in punts to the buildings, provided the head-carriage does not exceed 100 roeds	80 bunches to each labourer	65 bunches to each labourer.
Trenching (the same as in sugar cultivation).		
COTTON CULTIVATION:		
Planting cotton, supposing the land to be prepared	6 labourers 3 acres	7 labourers 3 acres.
Pruning cotton	6 ditto 3 ditto	7 ditto 3 ditto.
Weeding after pruning	6 ditto to 1 acre	7 ditto to 1 acre.
Ditto after crop, or other weeding	5 ditto to 1 ditto	6 ditto.
No general system of task-work can be applied to picking cotton, as it must depend on the character of the crop.		
Ginning by manual labour	50 lbs. each labourer	40 lbs. each labourer.
Cleaning cotton after ginning	60 lbs. ditto	50 lbs. ditto.
Baling with machine	7 bales to four labourers	6 bales to four labourers.
Trenching (same as on sugar estates).		

(*continued.*)

BRITISH GUIANA.

DESCRIPTION OF WORK.	Work now performed in 9 Hours.	Work to be performed in 7 ½ Hours.
WOOD CUTTING—SQUARING TIMBER:		
Felling trees and squaring them for saw logs -	25 cubic feet -	21 cubic feet
Ditto, ditto for framing timber - - - -	18 ditto - -	15 ditto.
Making wallaba shingles and carrying them to a water carriage - - - - - - -	200 each labourer	175 each labourer.
Making staves, and heading and carrying them as above - - - - - - - - -	100 ditto - -	87 ditto.
Cutting and cording hardwood for fuel - -	6 labourers to four cords -	6 labourers to 3 cords.

N.B.—The roed mentioned in the foregoing tariff, and made use of in Guiana, is the Rhynland roed, equal to 12 feet and 4 inches nearly.

The committee are of opinion that it is most desirable that some general system should be adopted throughout the Colony, as to the manner of apportioning the time between the employer and the prædial apprenticed labourers.

The committee recommend that this apportionment shall be by giving five days' labour or 45 hours to the master, and one day, which they recommend to be Saturday, to the apprenticed labourer; provided that in all cases the consolidation of the daily time of one hour and a half of the labourer into the Saturday of each week shall only take place on the due and proper performance of the daily task, and be consequent upon the good, orderly and industrious conduct of the labourer, and not otherwise. In making these recommendations, the committee feel themselves imperatively called upon to urge, in the strongest possible terms, the necessity of enacting very rigid laws to enforce the strict observance of the Sabbath as a day of uninterrupted rest.

The committee are also of opinion, 1st, that in all cases of childbirth the mother shall be allowed one month, during which no labour can be exacted from her; but for any period beyond that (if the child be not apprenticed) during which the parent or parents may be absent from their employer's duty in attending upon their child or children, they shall be obliged to make up such loss of time to their employer by their labour in their own time; and if this loss of time be not made up to the employer during the apprenticeship, it must be made up after.

2d. That in all cases where any apprenticed labourer shall be in the hospital for one or more days of any one week, such apprenticed labourer shall not be considered as coming under the regulation which provides for the gang working five days during nine hours, and having the sixth day to themselves, but shall be bound to work for his or her employer during seven and a half hours every day of such week as such labourer shall not be in the hospital.

3d. That it shall be imperative on all effective male apprentices to take their regular spell as watchmen during the night, for the protection of their own as well as their master's property; upon condition, however, that they shall be remunerated for such duty, as shall be provided for by the Legislature of the Colony.

In conclusion, the committee consider it necessary to remark, that in laying down the scale of task-work herewith submitted, they have considered it as being applicable to effective labourers, and to average weather and soils, as much must be left to the discretion of managers of estates and gangs.

The minutes of this meeting having been read over to the members, it was resolved that Mr. Macrae should be requested to have a fair copy of them made, and that the chairman be now authorized to sign such fair copy in behalf of the committee, and to hand the same to his Excellency the Governor.

(In the name of the Committee),
(signed) *Charles Bean*, Chairman.

Appendix (C.)

Sir, Rossfield, Berbice, 2 June 1834.

I HAVE had the honour to receive your Excellency's communication of 10th May, calling on certain gentlemen, among whom your Excellency is pleased to deem me worthy of being named, to assemble and meet in George Town, and having duly read and reflected upon documents and information to be laid before them, to give expression to their sentiments regarding the extent of task-work which may be considered a fair and equitable arrangement between his employer and the future apprenticed labourer, whose labour, it is to be borne in mind, will be limited by law to seven and a half hours per day.

Whilst I pray for a favourable interpretation and acceptance of my apology for not attending that meeting (no day having been named for the meeting), and on the eve of quitting the Colony, I beg to assure your Excellency that in no circumstances, except of extreme necessity, would I decline any duty to which I might be thought equal; and least of

of all would it be fitting that any member of the community, claiming to be a loyal subject, should shrink from his duty at a moment fraught with events that may, whether for good or for evil, stamp their character on, and influence the future destinies of this valuable province.

In obtruding individual opinions regarding the business of conducting estates during the apprenticeship, I feel that the amplest apology is called for; but it may not be uninteresting to your Excellency to know the result of my experience of a system (in strict harmony with the 5th section of the Slavery Abolition Act) which I put in operation on two estates on the 1st March last, with a degree of success far surpassing my most sanguine hopes at the time.

Having assembled the negroes and explained my desire to make them acquainted with the approaching apprenticeship system before leaving the Colony, I placed it in their option to choose between labouring as now, without any alteration of task or otherwise, for five legal days of nine hours, the sixth to be at their disposal, or to working for seven and a half hours daily for six days, with a corresponding reduction of task. The negroes did not hesitate to adopt the former, with every expression of gratitude for the boon; and their reasoning on the latter mode was to me conclusive. "After working seven and a half hours," said they, "we must rest a little; then the day is lost, we have no time to hire ourselves out, or work much at our grounds; but if the extra time allowed by law be thrown together into a day, we shall know how to employ it."

I am thoroughly convinced this would be the language of every prædial labourer in British Guiana, were he consulted. I stipulated with my people, that any day lost by skulking in the hospital must be made good by the party out of his own spare time. The consequence is, a complete abandonment of skulking, and the average in hospital never exceeds three per cent.; it used to be 12. Thus the field gang is so much stronger, I estimate I lose little or nothing by the change; a change, too, that created a considerable sensation and some alarm in the neighbourhood, but has since been adopted by two or three estates with the like happy result.

(signed) *John Ross.*

— No. 112. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. Carmichael Smyth*, dated Downing-street, 4 November 1834.

No. 112.

I HAVE perused with great interest your circular instructions to the special justices of the peace. They are conceived in the true spirit of the law on which they are founded, and are characterized throughout by humanity and foresight. Perhaps, however, you will agree with me that the avowal in the 7th paragraph, that you were compelled to connive at the violation of the law respecting Sunday markets, would have found a fitter place in a document of a less public nature. That such a connivance is under all the circumstances of the case inevitable, I do not mean to deny; and until the negro population shall be secure in the possession of one entire day in each week for resorting to market, their exclusion from it on Sunday would of course be regarded by themselves as a grievance of the most serious nature.

The mention of this subject, however, suggests the importance, or rather the necessity, of adopting some decisive measure to arrest the continuance of a practice which, though it may be endured as the escape from a greater evil, can never be regarded but as a very serious mischief. You of course deprecate not less earnestly than myself a custom which must weaken in ignorant minds, and perhaps even among the more enlightened members of society, the sense of religious obligation, by inducing multitudes to engage on Sunday in a traffic which they are taught to regard as prohibited at that season. Every negro in British Guiana, who is under the instruction of any of the various denominations of Christian teachers there, is habitually tempted to resist the dictates of his own conscience, by the opportunity of gain which the Sunday market holds out to him. Although I might not be disposed rigidly to enforce the penal law against him under all the circumstances in which he is placed, yet I think we must acknowledge that the conduct we thus tolerate is rightly condemned by his instructors, when they refer to sanctions of a nature to which the civil Government, as such, may not with propriety appeal. Besides, the indisputable advantage of a day of unbroken weekly repose to those whose ordinary life is passed in severe toil, might readily be established, if the topic were not too familiar for proof or illustration, by arguments drawn from a much lower source than that to which I have last adverted.

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For all these reasons, I am desirous that you should take what may appear to you at once the most judicious and the most effectual mode of recommending to the Court of Policy the adoption of the rule, of which in the paragraph numbered 7 you have so clearly shown the advantage. If Saturday in each week were secured to the apprenticed labourers as their season of leisure, all parties would seem likely to benefit by the change, and you would be enabled to insist on the law for the due observance of Sunday, in the permitted violation of which you are at present reluctantly compelled to acquiesce. When it is considered with what ready generosity the British Legislature met the question of losses which the abolition of slavery might entail on individuals, and how largely the proprietors in British Guiana have shared in the funds appropriated as a compensation by Parliament, I feel confident that the Court of Policy will take the most effectual steps to extinguish an abuse which, as it originated in the injustice of the slave code, ought for ever to disappear with the repeal of that law, and with the universal establishment of personal freedom throughout the British dominions.

— No. 113. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*.

No. 113.

Sir, Camp House, Demerara, 16 December 1834.

I am to acknowledge the receipt of your Despatch of the 4th November, and am much gratified at the expressions you have been pleased to make use of, in respect to my circular instructions to the special justices of the peace in this Colony.

I shall pay every attention to your wishes with respect to the obtaining of Saturday for the labourers, and abolishing the Sunday markets. There would have been no difficulty about such an arrangement, had such a proposition been made previously to the publication in the London Gazette, stating that the inhabitants of this Colony had done all that was necessary to entitle them to their share of the compensation fund. I will, however, endeavour to do all in my power for the accomplishment of an object which I have repeatedly urged both in the Court of Policy and in various official documents, but hitherto unfortunately without success.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 114. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*.

No. 114.

Sir, Camp House, Demerara, 9 August 1834.

IN my Despatch of the 29th July, I had the honour to explain to you that I had appointed the 1st of this month as a day to be dedicated to the worship of Almighty God; and I forwarded to you a copy of my proclamation, as also of the ordinance upon the subject. The churches and chapels were crowded; and the discourses, in general, delivered by the respective ministers, were well calculated to impress upon the minds of the apprenticed labourers the necessity of performing their diminished labour with zeal and alacrity. I was much hurt and disappointed, consequently, upon receiving reports from several of the magistrates, on Monday the 4th instant, stating that on many estates in their respective districts, the labourers had expressed a determination to do no more work than one half of what they performed when slaves, asserting that they knew such to be the King's order. I caused forthwith the Proclamation, of which I have the honour to forward to you a copy, to be published; and I deemed it proper to direct the high sheriff to proceed without delay, by water, to the furthest estate on the Essequibo coast, instructing him to return

(A.)

by

BRITISH GUIANA.

by land, by easy stages to George Town; visiting personally all the disturbed estates, and assembling courts for the trial of offenders, where such measure should appear indispensable. I beg to enclose a copy of the instructions which I gave to the high sheriff. The justices of the peace in the Essequibo district appear to have been much more alarmed than there was the least occasion to be, and applied to me to publish martial law in their district. The high sheriff also wrote to me for troops, in addition to the very respectable escort which I gave to him from hence. I refused both these applications; and I trust the reasons as given for my refusal in my letter to the sheriff, will appear to you satisfactory. I have visited myself the estates in this neighbourhood, and, as I hope, with the best effect. The labourers are working everywhere at the rate of 7 ½ hours per day, or at such a rate of task-work as they have agreed to undertake, with the advice and consent of a special magistrate. I proceed on Monday morning myself to the Essequibo district; and I trust that upon my return here, I shall be enabled to report to you that this ebullition has entirely subsided. When the absolute nullity of subordinate agents at my disposal, or under my command, in whom the labourers place confidence, is taken into consideration; the hitherto arbitrary power possessed by those in charge of slaves, and the consequent readiness on their part to misinterpret every act of the free labourer, and to call that insubordination, which by any person not formerly in the habit of commanding slaves would be unnoticed; the wonder is, not that some ebullition should have been manifested, and some misapprehensions have taken place, but that everything should have passed off so quietly.

(B.)

(C.)

As from various motives, erroneous statements have been inserted in the newspapers of the colony, or at least in one of them, which will probably cause some uneasiness in England, I hasten to write to you these few lines. Upon my return from Essequibo, I shall have the honour to report to you more in detail. In the meanwhile, I can only report that I see no reason to doubt but that before this day week, all this agitation will have quietly subsided.

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure (A.) in No. 114.

PROCLAMATION addressed to the Apprenticed Labourers of British Guiana.

British Guiana, (L. S.) *J. C. Smyth.* } By His Excellency Major-General Sir *James Carmichael Smyth*, Bart., &c. &c.

Enclosure (A.) in No. 114.

I WAS in hopes that I should have been enabled to have congratulated you upon the great change in your situations having been effected without the manifestation on your parts of any acts of a riotous and insubordinate tendency. It would have afforded me the utmost pleasure to have been able to have reported to His Majesty (to whose kind and paternal feeling towards you, you owe so much) that you had commenced the performance of your diminished duties under the new law, with cheerfulness and content. I am sorry to say that many of you have much disappointed me. The conduct of such of you as I have to complain of, cannot proceed from ignorance. The new law has been explained to you by repeated proclamations; our respectable and reverend ministers of religion have, moreover, taken every pains to instruct you fully upon the subject. I can, therefore, only attribute the conduct of such of you as would oppose the law, to obstinacy, folly or wickedness.

Since my arrival amongst you, you cannot but be sensible how much your situations have been improved. The first thing I did was to abolish the use of the cart-whip. With the advice and consent of the Court of Policy, the members of which (highly to their credit) unanimously agreed to the measure, the power of ordering punishment was next taken from the master, and placed in the hands of justices of the peace. These measures were surely great benefits, and ought to convince you that I am your friend, and as such am entitled to your confidence. Listen then to what I tell you, with attention, and be assured that what I tell you is the truth.

You who are working on estates, must work for your employers 7 ½ hours per day, or 45 hours per week. If you prefer task-work, and the manager and you agree about the quantity of task-work, he and you are at liberty to make an agreement to that effect, which must be written in a book, and be seen and approved of by a special magistrate. You must labour the number of hours as settled by the law, or perform such a quantum of task-work as you agree to undertake. The law is clear and positive, and must be obeyed.

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I think it necessary further to state to you, that it is as much my duty, on the one side, to watch over the interests of your employers, as it is, on the other, to protect you in the full enjoyment of all those privileges the new law affords you. Be assured, that to the best of my ability, I shall do both. The special justices have been instructed by me to lose no time in assembling district courts, and in bringing to trial all apprenticed labourers accused of obstinately abstaining from performing their labour of 7 ½ hours per day, as enjoined by law. You must labour well and steadily during 45 hours each week, or at the rate of 7 ½ hours each working day; or you may make an agreement, as I have already explained, as to task-work. If you neglect this my advice and exhortation to you, and allow yourselves to be further misled by wicked and foolish men, you will be visited with very heavy penalties, and bring disgrace and misery upon yourselves and your families.

Given under my hand and seal of office, at the King's House in George Town, British Guiana, this 5th day of August 1834, and in the fifth year of His Majesty's reign.—God save the King.

By his Excellency's command. (signed) *T. C. Hammill,*
Acting Government Secretary.

Enclosure (B.) in No. 114.

INSTRUCTIONS for his Honour the High Sheriff of British Guiana.

Sir, Camp House, 6 August 1834.

Enclosure (B.) in No. 114.

I WISH you to proceed with as little delay as possible to the Essequibo coast. The apprenticed labourers on several estates upon that coast have refused to work the 7 ½ hours, as enjoined by law; and notwithstanding every assurance to the contrary that has been given to them by the special magistrates, they persist in asserting that the orders from England are that they are only to work half a day, and not 7 ½ hours. They have committed no outrage, nor any overt act of rebellion or opposition to authority. Their conduct has been more of a negative obedience than of a positive disobedience to the enactments of the ordinance now in force for their government.

As, however, such a state of things cannot be allowed to continue, I have to request of you, in company with the special magistrates of that district, to visit those estates to which I have alluded. I wish my proclamation of yesterday's date to be read and explained to the whole of the apprenticed labourers upon each of the estates; and if, after it has been read to them, the labourers do not express sorrow for the conduct they have adopted, and promise forthwith to return to their work, and to execute in a steady and satisfactory manner the labour the law requires they should perform, the ringleaders must be selected and brought to trial without any delay, before a district sessions court, to be composed of special magistrates.

I would fain rather attribute the conduct of the labourers to ignorance and to bad advice, than to any hostile feeling, either towards their employers or to His Majesty's Government. In this view of the case, I hereby invest you with full authority to pardon and remit, in His Majesty's name, either partially or completely, the sentences of any of the courts, according as to you shall seem fit. Where no outrage has been committed, I should strongly recommend solitary confinement in the George Town gaol, as also the tread-mill, as much more efficacious punishments than the cat-o'-nine-tails. The use of the latter will only keep alive and exasperate feelings already angry and excited. Absence from the estate, and solitary confinement, will be found to abate the existing ferment much more effectively.

I have ordered the company of the 1st West India regiment to embark on board the vessel which will convey you to Capoey; and Captain Deckner has received instructions to consider his company as your escort, and to obey your commands in every particular.

When you have visited the disturbed estates in the neighbourhood of Capoey, and all things there are tranquillized, and the labourers have commenced their work to your satisfaction, I wish you to return to George Town by short journies, visiting the islands of Wakenhaam and Leguan, crossing the Essequibo somewhere about the Philadelphia, and the Demerara river at the ferry. Your escort will attend you whilst making this tour, during which you will cause my proclamation to be read on every estate you may have occasion to visit; and whenever you see sufficient reason, you will cause a court of special justices to assemble, and cause the sentences to be carried into effect, or to be remitted, as may appear to you to be most advisable for the good of His Majesty's service, and the peace and tranquillity of the country.

His Honour George Bagot, (signed) *J. Carmichael Smyth.*
High Sheriff of British Guiana.

Enclosure (C.) in No. 114.

Sir, 8 August 1834.

Enclosure (C.) in No. 114.

I AM to acknowledge the receipt of your letter of yesterday from Hampton Court, dated at one o'clock. Notwithstanding the misapprehension, which appears to prevail to a greater extent than I was at first led to believe, as to the quantum of time during which the apprenticed

prenticed labourer is bound to work for his employer, yet I cannot perceive in the conduct of the apprenticed labourers, anything that would justify me in adopting harsher measures, or in altering the instructions which you have already received.

You will proceed steadily in the execution of the instructions with which you have been furnished, causing my proclamation to be read on the different estates, and only resorting to punishment when you find it is absolutely necessary and unavoidable. No system of labour can be permanently carried into effect (with advantage to the community), resting upon the dread of corporal punishment as its foundation. Some of the labourers seem to entertain the idea that they are not to work at all, without wages; others imagine that they are only to work half of each day. I was in hopes that they had all been sufficiently made acquainted with the new law. It would however appear (to whatever cause it is to be attributed) that either sufficient pains have not been taken to explain the duties which they would have to perform when apprenticed labourers, or that they have not confidence in the gentlemen who explained and read my proclamations to them. This want of confidence they cannot, however, entertain towards you: vested with a high official character, and escorted by a detachment of the King's troops, they must be convinced that what you tell them cannot but be the truth. I am therefore in hopes that your progress through the country will have the happiest effects, and that I shall shortly hear from you that the labourers are steadily performing their task, at the rate of 7 ½ hours per day.

The Honourable Mr. Bean has written to me recommending the proclaiming of martial law within certain districts, and proposing further that these districts should be filled with an overwhelming military force. You also write to me proposing another company should be sent to Devonshire Castle. To all these and similar measures I object. The military force is to aid and support the civil authority, and is not to be scattered or let loose all over the province. You have a company with you to protect your own person and the courts which you may deem it necessary to assemble. This is the sole and only legitimate use which can be made of the military. They are to protect the civil authority, and to put down force by force, when required. No force, however, appears to have been resorted to by the labourers; and a display of military means, beyond what is required to prevent the possibility of the courts' being insulted or impeded in their operations, would, in my opinion, be not only highly impolitic but even dangerous to the future peace of the country; the government of which ought only to be carried on by the civil authorities administering the law with the strictest impartiality to all classes.

His Honour George Bagot, High Sheriff, &c. &c. &c. (signed) *J. Carmichael Smyth.**

[**The sequel of the proceedings consequent upon the riots here adverted to, will be found in* Appendix (A.), *being the Return to a specific Address.*]

— No. 115. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-Governor Sir *J. C. Smyth.*

Sir, Downing-street, 3 October 1834. No. 115.

I HAVE to acknowledge the receipt of your Despatch of the 9th of August last, reporting on the state of the Colony.

I have laid that Despatch before the King, and am commanded to express His Majesty's regret that any circumstances should have occurred to interrupt the tranquil settlement of affairs in British Guiana, subsequent to the 1st of August. I am, however, confident that such steps have been and will continue to be taken, as may enforce on all parties the obligation arising out of the Abolition Act.

I have to convey to you my approval of the exertions you made to remove misapprehension existing in the minds of apprenticed labourers, and to provide for the due administration of the law; and I trust that your anticipation, that tranquillity may be restored, may be justified by the event.

I have, &c.
(signed) *T. Spring Rice.*

— No. 116. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-Governor Sir *J. C. Smyth*, dated Downing-street, 7 November 1834.

THOUGH it is gratifying to learn that everything continues tranquil in the very important Colony under your command, yet I cannot but feel the deepest concern No. 116.

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concern on receiving information from you that the work legally exigible from the apprenticed labourer, is not given with as much alacrity as could be expected; and that some bad feeling prevails between the labourer and his employer.

It would perhaps have been too much to expect, that an experiment so vast as that which has been made in His Majesty's Colonial possessions in the West Indies, would in all cases have been attended with satisfactory results. But time and experience, and more particularly the example of those proprietors whose co-operation you so forcibly bring under my notice, may, it is my confident belief, introduce a better state of things, and may render the transition from slavery to qualified freedom more successful in its future progress than it may have been hitherto in British Guiana. It must be difficult either for the apprenticed labourers or their employers to free themselves wholly from the influence of the old system, or to acquiesce at once and cheerfully in the new system for the emancipation of the African race. But still I hope that frank and confidential communication between you and the owners, may give you a guarantee for the ultimate success of the measure. In the meanwhile, I earnestly recommend you to omit no opportunity of cultivating a feeling of goodwill with the members of Council, and of thus securing their cordial co-operation in a matter which so vitally involves their own interests. With this view, a free statement of your intentions, and cordial but guarded communications with the Court of Policy on every occasion in which their advice may with propriety be asked, is most essential to the success of your government. Much of the future advantages of emancipation must depend on the hearty and unreserved concurrence of the proprietors in carrying into effect the provisions of the British Statute and the Order in Council. You will, therefore, do well to adopt such a course as may secure for you the confidence and support of the white population of the Colony, when this can be done without a sacrifice of principle. When the magnitude of the change effected, and the difficulty which the best men feel in surrendering power, is taken into account, many allowances should be made for the proprietors of West India property. But by calmness, impartiality and a friendly demeanour, I feel every confidence that in British Guiana, as in other parts of His Majesty's Colonial possessions, the good sense and kindness of the Governor will overcome any existing irritability or reluctance in accommodating existing interests to the new order of things. Whilst care is therefore taken to ensure the apprenticed labourer the most efficient protection, care should also be taken to prevent any vexatious or frivolous complaints, or any illegal subtraction from those hours of labour which the apprentice is bound to give. This, I trust, will not be wanting on your part.

I regret that the objections which I have felt it my imperative duty to urge against certain parts of the ordinance of the 8th March, should have created any dissatisfaction. Those objections, you may assure the members of the Court of Policy, were not urged in any captious or disrespectful spirit; but my duty is precise. I am responsible to my Sovereign, to Parliament, and to the British public, to see that the intentions of the Legislature of the United Kingdom are carried into full effect; and that in the Crown Colonies more especially, an example is given of making an adequate provision for the rights of the apprenticed labourers, not more consonant with the just expectations of the mother country, than with the well understood and permanent interests of the Colony. But the more fixed is my resolution to abandon no one principle that I feel myself bound to enforce, the more do I feel it my duty to deal with the local authorities in a spirit of considerate conciliation. In order to enable the West India proprietors to meet the great change consequent on the abolition of slavery, the British Legislature has not been sparing of the resources at its disposal; and the generous course adopted, in the consequences of which the Colony of Demerara so largely participates, will, I trust, induce and encourage the Court of Policy, as well as all other classes of His Majesty's subjects, to co-operate in the satisfactory completion of this great measure.

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— No. 117. —

No. 117.

COPY of a DESPATCH from Sir *J. C. Smith* to Mr. Secretary *Spring Rice*.

Sir, Camp House, Demerara, Oct. 13, 1834.

I TAKE the liberty of submitting for your perusal, and, as I hope, for your approbation, the two accompanying documents; the first being a copy of an arrangement by which I have endeavoured to ensure a more certain and a more speedy attention being paid to the complaints of apprenticed labourers; and (A.) the second being a copy of a Circular which I have caused to be addressed to the stipendiary magistrates, respecting one or two points of considerable importance to the welfare of the labouring population. (B.)

I have, &c.

(signed) *J. Carmichael Smyth.*

Enclosure (A.) in No. 117.

(A.)—MINUTE.

Camp House, Oct. 13, 1834. Enclosure (A.) in No. 117.

THERE seldom passes a day without apprenticed labourers coming to Camp House, or to the Public Buildings, to complain to me of some grievance or another. To drive these poor people away without even listening to their stories, would be both cruel and impolitic. If their complaints are not investigated; if their grievances are not carefully redressed; if the law is not patiently explained to them, when (under an erroneous impression of the enactments in their favour) they may prefer an inadmissible complaint, despair will either drive them to the bush, or there will be a very serious insurrection. Since the expiration of the office of slave protector, (which office I sincerely wish had been continued under the title of protector of apprenticed labourers), I have sent all complaints to the stipendiary magistrate of the Town district. As this officer has, however, a very extensive and populous district under his own immediate charge, and as he has no power or authority to interfere in the management of other judicial districts, each of which has its own stipendiary and other special justices of the peace, it is evident that I have imposed upon him additional duties, entailing considerable correspondence with his brother magistrates, and of course occupying his time, which is already fully required for the discharge of the duties of his own district. Under these circumstances, I have determined that all complaints shall in future be referred to the high sheriff, whose duty (as the officer to whom the preservation of the peace is more especially entrusted) it will be to receive the same. The high sheriff cannot interfere in any disputes between his employer and the apprenticed labourer, the government of the latter being by law vested in the special justices. The high sheriff will, however, be pleased to receive all complaints at his office which any apprenticed labourers may wish to prefer. He will cause every complaint to be entered into a book, and he will then forward an authenticated copy of the same to the stipendiary magistrate of the district to which the complainant belongs. The complainant will be sent back to his own district, the stipendiary magistrate of which will be pleased to acknowledge the receipt of the complaint as forwarded to him by the high sheriff, and will report to the high sheriff what steps he may have taken with respect to the complaint referred to him. The high sheriff will lay before me, upon the 1st of each month, a return showing,

1st. The names of all complainants during the preceding month.

2d. The estate and the district to which they are attached.

3d. The nature of the complaint.

4th. The name of the stipendiary magistrate to whom it has been referred; and,

5th. The steps adopted by the stipendiary magistrate.

The sheriffs of Essequibo and of Berbice will govern themselves, with respect to any complaints from apprenticed labourers which may come before them, according to this minute, reporting to and communicating with the high sheriff.

(signed) *J. Carmichael Smyth.*

(B.)

UPON the question which has arisen, as to whether a special magistrate or justice of the peace can act as such, either alone or in conjunction with others, in any case in which his own apprenticed labourer is complained against for offences against himself as an employer, I have respectfully to state,

That by the 12th section of the 3d & 4th William 4, cap. 73, it is enacted, "that subject

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to the obligations imposed by that Act, or to be imposed by any Act of General Assembly, Ordinance, or Order in Council as thereinafter mentioned, upon apprenticed labourers as therein aforesaid, all and every the persons who on the 1st day of August 1834 should be holden in slavery within any British Colony as therein aforesaid, should upon and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged from all manner of slavery, and should be absolutely and for ever manumitted."

In pursuance of this Act, the obligations upon apprenticed labourers, as such, were set forth and defined in the "Ordinance for the Government and Regulation of Apprenticed Labourers;" and in this ordinance no power or authority is given to an employer to decide upon any case of an apprenticed labourer, in which such employer is interested.

No such disability as that he shall be tried by an interested party being placed upon an apprenticed labourer by this ordinance, he is entitled to the advantages and privileges of the general law: "Generali lege decernimus neminem sibi esse judicem vel jus sibi dicere debere: In re enim propriâ iniquum admodum est alicui licentiam tribuere sententiæ." Cod. l. 3, tit. 5.

This general rule is copied in the Barbosce Thesauros, and the above reason is ampliated or enlarged: "Ratio quia iniquum est admodum in re propriâ alicui licentiam tribuere, sententiæ cum homines à natura omnes plus sibi quam aliis faveant et suæ potius utilatati quam alienæ consultum cupiant quæ affectio judi: candi sinceritatem plane corrumpit et impedit." Barb. Thes. adverbum "Index."

I am aware that this general rule is confined to civil cases, and that in criminal cases, in which the res publica or common weal is concerned, private interests are supposed to merge, and that a judge may sit in a criminal court upon the case of an offender against himself. *See* Matthæus de Criminibus, book 48, tit. 13.

This exception, however, must be taken with a limitation: Voet ad Pandectas, lib. 5, tit. 1, s. 2, says, "Ita quoque non iniquum est reum (*i. e.* judicem) mulctâ imposita coercere tales qui ei, quâ judici, et munus implenti aut ministris ejus injuriam dicto aut facto inferre, haud vetentur, si modo de vindictâ publicâ imponendâ, non pœna judici læso, applicanda quæstio sit:" That is to say, that wherever a penalty is to enure to the benefit of himself, it is questioned whether a judge can sit or decide upon a case wherein such penalty may be imposed.

Viewing the ordinance for the government and regulation of apprenticed labourers as embracing a code of laws both civil and criminal, I should say, that in no civil case affecting an apprenticed labourer, can an employer sit, if such employer be interested, and that in no criminal case ought an employer to sit; for by the 14th section of the 4th chapter of the ordinance, it is declared, "that when any apprenticed labourer shall be convicted of any offence punishable under that Act, for which confinement may be awarded, it shall be lawful to adjudge the offender to be confined, or to be confined and kept to hard labour, in the common gaol or house of correction, or other place of confinement previously approved by a district session of special justices; and also that the offender be adjudged to be kept in solitary confinement for the whole or any portion or portions of such confinements, or of such confinement with hard labour, as to the special justices or district sessions of special justices shall seem meet; and that in all cases in which it can or may be done, it shall be lawful to adjudge the labour to be in the service or for the benefit of the employer of the offending apprenticed labourer."

Looking through the whole of this ordinance, there is scarcely a case in which confinement with hard labour may not be awarded, and in which that hard labour may not be awarded to be in the service of the employer of the apprenticed labourer.

I am, therefore, of opinion that an employer cannot sit in judgment or decide upon any case or complaint against an apprentice for an offence against himself, the employer.

I think it right to add, that no inconvenience can accrue in consequence of this construction of the law, inasmuch as a justice of the peace from a neighbouring district may always be had to form a district court, in cases wherein an employer cannot sit.

Demerara, 15 Oct. 1834. (signed) *William Arrindell.*

(C.)

By the 3d section of the 2d chapter of the ordinance for the government and regulation of apprenticed labourers, it is enacted, "that every special justice of the peace shall be, and he is thereby empowered and authorized, in respect of apprenticed labourers convicted of offences before him, to award any one of the following punishments:—1. Confinement with or without hard labour on the tread-mill, or otherwise, for a period not exceeding 14 successive days; 2. Extra labour at the rate of 15 hours per week, in the service of his or her employer, with or without confinement at night, for a period not exceeding 14 days; 3. Fifteen stripes for every male labourer."

By the 5th section of the 7th chapter of said ordinance, "if any special justice shall on investigating a case brought before him, be of opinion that it demands a punishment or penalty beyond that which he is thereby empowered or authorized to award, he shall refer such case to the district sessions of special justices, and shall, if he see fit, commit the accused, if an apprenticed labourer, for trial before such district sessions."

These two sections, in my opinion, clearly define the power of a single special justice of the peace, and distinctly limits that power, in awarding a punishment by whipping in the case of a male, to 15 stripes.

I am

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I am aware that the 8th section of chapter 4 enacted, "that every apprenticed labourer who by the careless use of fire shall endanger the property of his or her employer, or of any other person, or who shall wantonly injure the property of his or her employer entrusted to his or her care, or who shall ill-use the cattle or other live stock of his or her employer, or who shall by gross negligence expose his or her employer's property to any damage or injury, shall be adjudged for such offence, in the discretion of the special justice or district sessions of special justices, either to extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month; or to any number of stripes not exceeding 30 lashes; or to any two or more of such punishments: provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or committed, although no such labourer shall be liable to be so prosecuted, or sued both under this ordinance and under such general law as aforesaid." But although the words "in the discretion of the special justice or district sessions of special justices" are here used, yet their meaning must be limited by reference to sections 3 and 5 of chapter 2.

The whole are in *pari materiâ* and must be construed together; and so construed, the power of a single justice must be confined within the limits already stated. It is to be observed that one of the modes of punishment expressed in the 8th section of chapter 4, viz. "extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week," is within the authority of a single justice; and I should think that where there are two modes of punishment mentioned, one within and the other beyond the scope of his authority, no single justice would select the latter, especially as it is always open to him to refer the case to the district sessions, even in cases of doubt merely.

15 October 1834. (signed) *William Arrindell.*

Enclosure (B.) in No. 117.

(Circular.)

Governor's Apartments, Guiana Public Buildings,
Sir, 13 October 1834.

Herewith, under letter A, I have the honour to enclose a copy of a minute of this day's date, which has been forwarded to the high sheriff for his information and guidance, in respect to all complaints which may be preferred by apprenticed labourers to his Honour. I have to request of you to comply with those points, as detailed in the said minute, which have reference to your duties. Enclosure (B.) in No. 119.

2. In the ordinance establishing inferior courts of criminal jurisdiction in this Colony, published on the 12th January 1834, it is enacted in the 12th section of the said ordinance, "that no justice of the peace, who shall be the owner or manager of any slave, shall be authorized by himself, or in conjunction with any other justice or justices of the peace, to adjudge, by conviction or otherwise, any such slave to punishment under or by virtue of this Act." This enactment having been omitted in the ordinance (No. 43) for the government and regulation of apprenticed labourers, it has been represented to me that in several cases special justices (under the impression that their conduct was perfectly legal) have sat and voted as members of a court of special justices in cases in which the labourers were attached to estates of which they had the control. This is an irregularity which ought never to have taken place, and which it will be your duty not to allow to be again repeated. I enclose you a copy of the opinion of the attorney-general upon the subject, under letter B.

3. In the 3d section of the 2d chapter of the ordinance for the government of the apprenticed labourers, the powers of each special justice, when acting alone, are clearly defined, and the extent of the corporal punishment which he may order to be inflicted is limited to 15 lashes. In the 8th section of the 4th chapter, the nature and extent of the punishments which may be inflicted upon apprenticed labourers for endangering their employer's property by the careless use of fire, for wantonly ill-using cattle, and other offences, are detailed; which punishments are to be adjudged in the discretion of the special justice, or the district sessions of special justices. It having been represented to me that several special justices, under a mistaken view of this enactment, have caused severer punishments to be inflicted than under the 3d section of the 2d chapter of the said ordinance (which section expressly defines their power) they are entitled to adjudge and sentence, I have called for the opinion of the attorney-general upon the subject; and which, under letter C, I herewith enclose to you for your information and guidance, as well as that of all the special magistrates within your district.

4. I have further to draw your attention to the 2d section of the 2d chapter, whereby it is enacted that the district courts are to be convened and are to assemble at the place named by the chairman; and that at every session of each court the chairman named by the Governor is to preside, unless prevented by sickness or absence. I have had occasion to read the proceedings of several district courts, in which the presiding justice has not been the chairman of the district as named by me, nor has his absence been alluded to, or in any way accounted for on the face of the proceedings. I have to request that the esta-

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blished chairman will preside at each and every court, unless prevented by serious indisposition; and in which case the circumstance is to be reported to the Government secretary (in writing) for my information.

To each Chairman of the Twelve Judicial Districts of British Guiana.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 118. —

Copy of a DESPATCH from Secretary the Earl of *Aberdeen* to Lieut.-Governor Sir *J. C. Smyth.*

No. 118.

Sir, Downing-street, 1 Jan. 1835.

I have had the honour to receive your Despatch of the 13th Oct. last, enclosing the copy of a Minute drawn up by you for ensuring a more certain and more speedy attention being paid to the complaints of apprenticed labourers in British Guiana; and the copy of a Circular which you had caused to be addressed to the stipendiary magistrates, on the subject of the extent of the punishments which may be inflicted by the authority of any single magistrate, and respecting the practice of judicial punishments being inflicted by special magistrates upon apprenticed labourers in their own employment.

For the reasons assigned by Mr. Arrindell, the attorney-general of British Guiana, I concur with that officer and with yourself in thinking that the practices condemned by your circular are contrary to law; and I am therefore to signify to you my approbation of the measure you adopted to prevent the recurrence of them.

I also approve of your having established a regular method by which, through the intervention of the sheriffs, all complaints preferred to you by apprenticed labourers may be punctually brought under the consideration of the magistrates within whose jurisdiction they properly fall. It cannot, however, be too distinctly understood, that the sheriff is not entitled to act except as a channel of communication between the Governor and the justices of the peace, and that he is not invested with any authority over them. You will have the goodness to consider whether your minute of the 13th October may not give rise to some misapprehension on that subject; and if you should find reason to think that it is likely to be so misunderstood, you will take the necessary measures for correcting the mistake.

I have, &c.
(signed) *Aberdeen.*

— No. 119. —

No. 119. Copy of a DESPATCH from Lieut.-Governor Sir *J. Carmichael Smyth* to Mr. Secretary *Spring Rice.*

Sir, Camp House, Demerara, 16 Dec. 1834.

(A.) I beg to lay before you copies of the reports for the month of November, from the twelve judicial districts into which this Colony is divided. I respectfully submit that nothing can be more satisfactory. I trust that you will approve of the remarks with which I have accompanied the publication of the reports.

In proportion as the reports from the special justices are full and in detail, so must their inquiries be minute, and their attention the more unceasing to the discharge of their very important duties. I have therefore prepared a series of questions to be answered by them monthly, instead of those which they have hitherto been in the habit of replying to. I beg leave to lay before you a copy (B.) of the improved questions; and I hope early in January to be able to transmit to you satisfactory answers from the whole of the twelve districts.

I have, &c.
(signed) *J. Carmichael Smyth.*

Enclosure (A.) in No. 119.

Government Notice.

Enclosure (A.) in No. 119.

1. His Excellency Major-general Sir James Carmichael Smyth, has thought proper to direct that the following reports for the month of November, from the twelve judicial districts into which this Colony is divided, should be published in the Royal Gazette, for general information.

2. His Excellency most sincerely congratulates every person interested in the prosperity of this magnificent province, upon the peace, contentment and industry, which so generally prevail throughout the whole of British Guiana.

3. The Lieut.-governor requests of the special magistrates to have the goodness to avail themselves of every opportunity of expressing to the prædial labourers his Excellency's approbation of their conduct, and of the confidence he entertains that, at the expiration of their apprenticeship, they will realize the most sanguine wishes of their friends, and prove themselves an industrious, as well as a loyal and grateful population.

Guiana Public Buildings, George Town, Demerara,
this 18th Dec. 1834.

By Command.
Henry Gloster, Gov. Sec.

District A.

Sir, Bee-Hive, District A, 1 Dec. 1834.

I have the honour to state, for the information of the Lieut.-governor,

1st. That the labourers in this district appear more contented, cheerful and civil, than when I had last the honour to report upon the subject.

2d. They have performed their work during the last month with greater alacrity and good will.

3d. There have been few instances of insubordination amongst them, and no attempts to resist authority by force.

4th. In one or two cases, in the beginning of last month, I have attributed some neglect of work to combination. No rudeness has been evinced, except with respect to a few idle and disorderly apprentices.

5th. The attendance of the apprentices has been as regular as usual, at church and at school.

6th. I have individually been under the necessity of ordering corporal punishment in 24 instances; and the court over which I preside, in 11 instances.

With respect to the general peace and tranquillity of the district, there has been an evident improvement during the preceding month.

I have, &c.
To H. Gloster, Esq. *K. Heyland*, Chairman District A.

District B.

Sir, Vryheid's Lust, 30 Nov. 1834.

I have the honour to transmit a monthly report, agreeable to the request of his Excellency the Lieut.-governor.

1st. The apprenticed labourers in District B. are contented, cheerful and civil, with the exception of the following estates: plantations Paradise, and Bachelor's Adventure.

2d. They have not performed their work during the last month with alacrity and good will, on the above two estates. On the other plantations the work has been well done.

3d. There has been no instance of resisting authority by force. Insubordination has been general on the two above-mentioned plantations.

4th. Those that are disposed to neglect their work, are frequently rude and insolent to those in authority over them. Such misconduct has not been general, and I do not attribute it to any combination or conspiracy. It is only with respect to a few idle disorderly apprentices that any complaints are made.

5th. The attendance of the apprentices at church and at school has been regular during the preceding month, and to the full extent of the accommodation afforded. The attendance of the young at the Sunday school, the same as the preceding month.

6th. As an individual magistrate I have been under the necessity of punishing three with whipping. There have been four delinquents punished with whipping, by order of the court, during the preceding month.

I have, &c.
Henry Gloster, Esq.,
Gov. Secretary.
A. M. Lyons, S. J. P., Chairman District B.

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District C.

Office of Special Justices, George Town,
Sir, 17 Dec. 1834.

In obedience to his Excellency the Lieut.-governor's confidential order of the 23d of September last, I have the honour to state for his information, in answer to —

Query 1st. That the apprenticed labourers of this district, during this month (November), have certainly exhibited a better feeling than in the last, on very many properties. That within the Town district, incivility and rudeness towards their employers and those in authority under them, have not disappeared.

Query 2d. That during this month (November), the work on various estates has been performed in a manner leading me to suppose that the misunderstanding previously existing is wearing away. But it is not to be expected that, until they fully undertand the benefits accruing to them, and something like a fixed rate of wages is fallen into for their extra hours, that alacrity and good will may be expected.

Query 3d. The instances of insubordination and unlawful combination have decreased considerably within this month; nor have there been any attempts to resist authority by force, except in one or two instances of persons in a state of intoxication.

Query 4th. The cases which have been manifested in this month (November), of combination to neglect their work, and to disobey lawful orders, have decreased more than one half.

Query 5th. The attendance of the apprenticed labourers at church and at school are proceeding in an increased ratio.

Query 6th. I have individually as a magistrate, and the district courts under my charge have, still found it necessary to punish by flogging; but the instances have decreased during this month (November), to 37 instead of 72, of which the greatest number was inflicted on persons who had run away since the months of August and September as follows:

Running away	15
Insubordination, and not doing a sufficient quantity of work, disobedience and insolence	3
Carelessly, indolently and negligently doing their work	3
Drunkenness, &c.	2
Absenting from duty	3
Unlawful combination not to do a sufficient quantity of work, and to resist lawful orders	11

I have, &c.
S. W. Gordon, Chairman District C.

District D.

Sir, Plantation La Retraite, 1 Dec. 1834.

In reply to your Excellency's queries, to be answered on the 1st of each month, I have the honour to report as follows, viz.

1st. I consider the apprenticed labourers in this district as generally cheerful and contented. No instance of incivility that I am aware of has occurred.

2d. One complaint only (against six individuals) has been brought before the district sessions, during the preceding month, for the non-performance of labour to the extent demanded, and this was not of an important character.

No complaint has been preferred to me of a similar kind, nor have I heard of any from the other special justices.

There are now few estates on which the labourers not only perform what is required, but where they are not doing more than the law would enforce for payment.

3d. Instances of insubordination are almost unknown, and attempts to resist authority by force wholly so.

A few persons have individually been guilty of drunkenness, and in that state been disorderly and resisted the constables who put them into temporary confinement; but there has been no premeditated violence, still less combined insubordination of any kind.

4th. In the complaint referred to, replying to the second query, there were one or two apprentices who appeared to lead the rest, and the punishment was regulated accordingly. The combination or conspiracy was inferred from all doing exactly the same quantum of work, though their powers of executing it were very different.

5th. The attendance of the apprentices at church has not increased last month. Few white persons attend at Meerzorg, and none at St. Mark.

The bad example thus afforded must have some effect. The attendance of the children and others at school is better: yet as Sunday is the sole day on which they have an opportunity of receiving instruction, it cannot be supposed their progress will be considerable.

6th. I have found it requisite to order punishment by whipping on one individual during October, and the court over which I presided has likewise ordered another to be so punished.

Your

Your Excellency will observe a progressive improvement in the conduct of the labourers since last month.

A few cases of assaults committed on the persons of the apprentices by the employers, managers or overseers, have been punished by fines; and the former made sensible, in every instance that has come to my knowledge, that effectual justice will be rendered them on such occasions.

I have, &c.

His Excellency Major-Gen. Sir J. C. Smyth, Bart., &c. &c. &c.

(signed) *J. A. Allen,*
Chairman District D.

District E.

To His Excellency Major-General Sir *J. Carmichael Smyth,* Bart., C.B., K.C.H., &c.

Sir, Plantation Hague, 30 November 1834.

Agreeably to your Excellency's instructions of the 23d September last, I have the honour to report the state of the District E. for the last month (November).

1st. The apprentices generally in this district are contented, cheerful and civil.

2d. During the last month, as will appear in my reply to Query 6, they have, almost without exception as to the male field labourers, done their work with alacrity and good will.

3d. No instance of insubordination of any consequence has occurred during the last month, or attempt to resist authority by force.

4th. No combination or conspiracy to neglect their work, or to behave rudely to those in authority over them, has been manifested by the apprenticed labourers in this district during the month of November.

5th. The attendance at Mr. Scott's church and school is very regular; also the school at the Rev. Mr. Ritchie's; and I trust your Excellency will be pleased to direct divine service to be performed by some minister during the absence of Mr. Ritchie.

6th. It affords me extreme satisfaction to say I have not had occasion, as an individual magistrate, to order the punishment of whipping in any one instance during the last month, and only five have been so punished by order of the district court. Three of those were runaways, one for 12 months and two for six weeks; leaving only two cases for neglect of work.

I have, &c.

(signed) *Spry Bartlet,* S. J. P., Chairman District E.

District F.

Sir, Wakenaam, 1 December 1834.

I have the honour to transmit to your Excellency the monthly report of the state of District F.

1st. The apprenticed labourers in this district are contented, cheerful and civil.

2d. They have performed their work with alacrity and good will.

3d. There have been no instances of insubordination, or any attempts to resist authority by force.

4th. There have been no symptoms of conspiracy, and it is only against the idle and disorderly that complaints have been made.

5th. The attendance of the apprenticed labourers has rather increased at church than otherwise; but both churches in this district are always filled.

6th. The district court has punished nine individuals by whipping, and in my individual capacity as a magistrate I have punished five.

N. B. I beg to observe, that almost the whole of the cases in this Island are brought before me. I do not believe that the other magistrates have half a dozen cases amongst them.

I have, &c.

His Excellency Sir J. Carmichael Smyth, &c. &c. &c.

(signed) *Geo. Kellock,*
Chairman District F.

District G.

Sir, Essequibo, 1 December 1834.

I have to state to your Excellency that the apprenticed labourers in this district are in general contented, cheerful and civil, and have performed their work during the last month with alacrity and good will.

There have been a few instances of insubordination among them, but no attempt to resist authority by force.

A disposition to neglect their work, or to behave rudely to those in authority over them, has not been so general as to induce me to attribute it to any combination or conspiracy, except in the single instance of plantation Batseda's Lust, where a spirit of this kind had shown itself in the early part of the month, but which appears to be entirely subdued, as well

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well as at the Perseverance and Vilvoorden, where, as I stated in my last monthly report, a similar disposition had appeared. With this exception, the complaints have had reference to a few idle and disorderly apprentices only. The attendance of the apprenticed labourers at church and at school has been as regular as usual, and to the full extent of the accommodation afforded them.

In my individual capacity as a magistrate, I have been under the necessity of ordering punishment by whipping in eight instances, and at the court at which I preside in nine. But I beg permission to add, that this mode of punishment has not been resorted to except in very aggravated cases, or when the culprit was deemed extremely hardened and incorrigible.

I have, &c.

His Excellency Major-Gen. Sir J. C. Smyth, &c. &c. &c.

(signed) *George Ball,* Chairman District G.

District H.

Sir, Judicial District H, 1 December 1834.

I DO myself the honour to transmit the following answers to the queries contained in your Excellency's letter of the 23d of September last.

In answer to the 1st query, I beg leave to state that the apprenticed labourers in the judicial district under my charge are contented, cheerful and civil, except on two or three estates.

In answer to the 2d query, I beg leave to state that they have performed their work during the last month with alacrity and good will, except on two or three estates.

In answer to the 3d query, I beg leave to state that there have not been any instances of insubordination among them, except on two or three estates, nor any attempts to resist authority by force.

In answer to the 4th query, I beg leave to state, that the instances of neglecting their work and behaving themselves rudely to those in authority over them, which have been manifested within the last month, have been generally confined to two or three estates, where it could only be attributed to combination. But there have been few complaints from the other estates, and those only against idle and disorderly apprentices.

In answer to the 5th query, I beg leave to state, that the attendance of the apprenticed labourers at church has been as regular during the last month as usual, and to the full extent of the accommodation afforded them under the local circumstances of the district. But their attendance at the school kept by the rector has not been so regular as usual.

In answer to the 6th query, I beg leave to state, that I have individually as a magistrate, and the court over which I preside has, been under the necessity of ordering punishment by whipping; and I have directed two delinquents to be so punished during the last month.

I have, &c.

To His Excellency the Lieutenant-Governor.

(signed) *Thomas Coleman,* Senior Special Justice.

District I.

No report from the District I, for the month of November, has been received, owing to the death of the late chairman, and of his successor not having had, it is presumed, as yet sufficient time to inspect the district.

District K.

Sir, Office of Special Justices, Berbice, 1 Dec. 1834.

I HAVE the honour to inform your Excellency that the apprenticed labourers in the judicial district under my charge are contented, cheerful and civil. They have performed their work during the last month with alacrity and good will.

There have been no instances of insubordination amongst them, or any attempt to resist authority by force.

There have been some few complaints made against apprentices, of a trifling nature.

The attendance of apprentices at church and at school has been as regular during the preceding month as usual, and, I consider, to the full extent of the accommodation afforded them under the local circumstances of this district. I have not individually as a magistrate, but the court over which I preside has, been under the necessity of ordering punishment by whipping; and three delinquents have been directed to be so punished during the preceding month.

I have, &c.

(signed) *John Macleod,* Chairman K. District.

District L.

Sir, Berbice, 2 December 1834.

In compliance with the request contained in your Excellency's letter of the 23d of September, I have the honour to make the following report for the preceding month, of the judicial district under my charge.

1st. The apprenticed labourers, with the exception of those on one estate, are more contented, cheerful and civil.

2d. They have performed their work, with the above exception, generally with more alacrity and good will.

3d. There have been no instances of insubordination amongst them, nor any attempts to resist authority by force, except on the estate alluded to above.

4th. In the few cases which have been brought before me during the preceding month, the misconduct has only been amongst a very few idle and disorderly apprentices, excepting the estate before alluded to, where such misconduct has been a general combination and conspiracy amongst the whole gangs.

5th. The attendances of the apprentices at chapel and schools has been much the same as during the former month, October.

6th. Individually as a magistrate, I am happy to say, I have not been under the necessity of punishing by whipping during the preceding month. The courts over which I presided have been under the necessity of punishing by whipping seven delinquents, every one of whom were attached to the before alluded to estate, and had been previously tried by a district session of special justices.

I have, &c.

His Excellency Sir J. Carmichael Smyth. (signed) *M. A. Stewart,*
Chairman District L.

District M.

Sir, Alness, 1 December 1834.

The report I have now to make, in answer to the queries contained in your Excellency's circular of the 23d September, I regret to say is less favourable than that I had the honour to address to your Excellency on the 1st of last month.

1. On some estates, but particularly on two considerable plantations in the judicial district under my charge, the apprenticed labourers have not been contented, cheerful and civil.

The two plantations more particularly alluded to, are Alness and Kilcoy; but I am happy to add, that on both estates, but more especially on the former, a marked improvement in the conduct of the labourers has taken place towards the latter part of the month.

2. On some estates the apprenticed labourers have performed their work during the last month with alacrity and good-will; but such good conduct has not been general.

3. There have been several instances of insubordination amongst them, and of attempts to resist authority, but not by open force.

4. In some instances, a disposition has been manifested not only to neglect work, but also to behave rudely to those in authority over them; and such misconduct has been so general on the estates where it has occurred, as to induce me to attribute it to combination, and not merely to a few idle and disorderly apprentices.

5. I am not aware of any change as to the attendance at schools. The proprietors of the district have evinced a laudable anxiety for the establishment of a church.

6. I am sorry to say, that I have individually as a magistrate, and that the court over which I preside has, been under the necessity of ordering punishment by whipping, and that 16 delinquents have been directed to be so punished during the preceding month.

I have, &c.

(signed) *J. S. Lockhart Mure,*
Chairman District M.

His Excellency Sir J. Carmichael Smyth,
&c. &c. &c.

Enclosure (B.) in No. 119.

QUESTIONS to be answered on the 1st of each Month, by the Chairman or Senior Special Magistrate of each of the Twelve Judicial Districts of British Guiana.

District , 1st 183 .

Enclosure (B.) in No. 119.

1. Are the labourers in your district civil, contented and cheerful?
2. Have they performed their work during the last month with alacrity and good-will?
3. Has the work on any estate been unwillingly or not readily performed? If yes, have the goodness to name the estate, the proprietor or his attorney, and the manager; in order that an inquiry may be forthwith instituted into the causes which may have led to such conduct.

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4. Is task-work generally resorted to within your district, or do the labourers prefer working the 7½ hours per day, as fixed by law?

5. What are the working hours most generally in use in your district? Are there any estates in your district on which the labourers are compelled to lay-by for two or three hours in the middle of the day, and then to complete their 7½ hours in the afternoon, (by which division of labour they have little or no time to themselves). If yes, have the goodness to name the estates, proprietors or attornies, and the managers?

6. Do the labourers on any estate in your district perform extra labour for hire? If yes, name the estates, the rate of wages for extra work, and state how and when the payments are made; and if extra work is not performed for wages, state if reasonable wages have been offered, with weekly payment. If reasonable wages and prompt payment have been offered and rejected, state to what cause you attribute the refusal on the part of the labourers.

7. Have there been any instances of insubordination, or any attempt to resist authority by force, in your district? If there have been any, name the estates on which such occurrences have taken place.

8. In the event of any disposition having been manifested by any of the labourers to neglect their work, or to behave rudely to those in authority over them, has such misconduct been so general as to induce you to attribute it to any combination or conspiracy; or is it only with respect to a few idle and disorderly apprentices that you have had complaints made?

9. Has the attendance of the prædial labourers at church, and of their children at school, been regular, and to the full accommodation afforded them under the local circumstances of your district?

10. Have you individually as a magistrate, and has the court over which you preside, been under the necessity of ordering punishment by whipping during the preceding month? and if answered in the affirmative, state the number of delinquents so punished, and the extent of punishment awarded in each case.

11. Has any manager, overseer, or other person in authority over the prædial labourers, been fined or otherwise punished by the court over which you preside, during the preceding month, for misconduct towards any labourer or labourers? Have there been any instances of the labourers having been detained at work beyond the legal hours; and in such case, has the 1*s.* sterling per hour for each individual labourer been levied?

12. Have any complaints been preferred to you during the last month, from any apprenticed labourers, respecting their clothing, food, treatment, or upon any subject? In the event of any complaints having been made to you, have you carefully investigated into the matters, and caused justice to be rendered to the parties, as far as it was in your power? State the number and the nature of the complaints which may have been preferred to you, in general terms.

13. Have any of the free children, upon any of the estates in your district, been bound apprentices during the last month? If yes, name the estates upon which such occurrences have taken place, and state if the transactions were with the free consent and approbation of the parents of the children.

14. How are the children fed and taken care of on the estates in your districts; are they fed from the stores of the estates gratuitously, and is an additional quantity of salt fish and of plantains issued for them; or are they fed out of the allowance due to their parents? When their mothers are at work in the field, is a woman specially appointed to take care of their young children, and exempted from all other duty? Are the children, when unwell, allowed the advantage of the medical assistance and hospital treatment of the estate, in the same manner as when they were in a state of slavery?

15. On how many estates in your district are schools established? Name the estates, proprietors and managers of estates, having schools.

16. Are there any remarks or observations which you may wish to convey to the Lieutenant-governor, connected with the peace, tranquillity and happiness of the district under your superintendance? If yes, state the same.

— No. 120. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice.*

No. 120.

Sir, Camp House, Demerara, 18 Dec. 1834.

I have the honour to acknowledge the receipt of your Circular Letter of the 30th September. I have thought and reflected so much upon the matters to which your Circular alludes, that I have no hesitation in replying to your several queries without any delay.

You inquire if the great change effected in the condition of the negro population will lead to any alteration in the following particulars:—

1. If labour is likely to be applied profitably to the production of any new articles of agriculture or of manufacture?

2. Whether

2. Whether the production of the staple articles is likely to be affected?

3. Whether capital is likely to be directed into new channels, or to be applied to the more extended production of articles at present known in the markets?

4. Whether there exist any and what obstacles which impede this change or extension of industry; and how such obstacles, if existing, may be removed.

In reply to the first query, I beg leave to state, that I am not aware of any new article, whether of agriculture or of manufacture, which could profitably be introduced into this province.

In reply to the second query, I have the honour to state, that in my opinion the production of the staple articles will increase (and that considerably) during the ensuing six years.

I am not aware that capital is likely to be diverted into new channels. Capital may, in my opinion, be employed with perfect safety in this Colony, in the more extended production of sugar and of coffee.

There exist no obstacles towards the almost unlimited extension of industry in this Colony, save and except the want of a sufficient circulating medium to pay the labourers. I have had the honour of making repeated representations upon the subject, and have respectfully suggested the mode of removing this very great evil. As I have not received any replies to my several communications relative to the finance of this Colony, I am not aware of whether or not my plans have been approved of, or otherwise. If they have been approved of and acted upon, a supply of colonial silver to the amount of 15,000*l.* ought to be on its way to this Colony, and arrangements to have been made for furthering an additional sum of about 6,000*l.* per annum. The evil is very considerable, and clogs the industry of the labourer. The sooner the remedy is applied the better.

Having thus replied to your several queries in the best mode I am able, I take the liberty of respectfully offering the few following observations as connected with the subject.

There cannot now be a reasonable doubt in the minds of even the most determined opposers of the apprentice system, but that it does work and will work well to the end of the six years. Whether at the close of the apprenticeship the labourers will work on the several estates, depends entirely on the planters themselves, and on the mode in which they may conduct themselves to their apprentices during the six years of probation. The most intelligent of the planters are fully aware of the exact nature of their position. Anger and excitement have had their day: a feeling of self-interest cannot but introduce mild and conciliatory measures. The introduction of the plough into more general use, as enabling the planter to cultivate more ground with a smaller number of labourers, is much to be desired; as also generally of all those improved implements of agriculture now so common in Great Britain. These matters may however, in my humble opinion, be left with great propriety to the efforts of private individuals, whose exertions, prompted by their own interests, require no further stimulus. The great, I had almost said the sole, object of the Government ought, as it appears to me, to be most carefully to watch over the administration of the laws, and to take care that equal justice is not only dealt out to all, but that the labourers should feel assured that such is the case. Industry, cheerfulness and content will follow as matters of course. The soil is inexhaustible, both in quality and in quantity; and if the plan I have recommended in my circular instructions to the special justices of the peace is adopted; if the planters will but once consider their own interests and those of their labourers as identified, and by their conduct to the latter convince them practically that such is their opinion; I have no doubt but that this Colony will very shortly become one of the most valuable provinces, if not the most valuable, of the British empire.

I have, &c.

(signed) *J. Carmichael Smyth.*

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No. 121.

— No. 121. —

EXTRACT from a DESPATCH from Lieutenant-Governor Sir *J. C. Smyth* to the Secretary of State for the Colonies.

Camp House, Demerara, 22 January 1835.

I BEG to submit to you a Government Notice, which I have deemed it advisable to cause to be published in this Colony, explanatory of the perfectly tranquil and general good conduct of the labouring population. It is absolutely impossible that in any part of the King's dominions any proportion of His Majesty's subjects, to the same extent of numbers, can conduct themselves better than the apprenticed labourers in this Colony. The ill-judged parsimony of withholding food and medicines from the children of the apprenticed labourers, who not having reached six years of age are perfectly free, is confined to only 13 estates. On one of these estates four children have been reported to me as having died for want of medical aid. As these cases are in the hands of the attorney-general, I shall offer no comment upon them until I receive that officer's report. With respect to the other point alluded to in my Government Notice, namely, the compelling the apprenticed labourers to perform their labour of seven and a half hours at two different spells, I am afraid there is at present no authority in existence in this Colony by which the planters can be restricted in this particular.

Enclosure in No. 121.

GOVERNMENT NOTICE.

HIS Excellency Major-general Sir James Carmichael Smyth, having received and carefully examined the reports from the 12 judicial districts for the month of December, has directed that the public should be informed, that their contents are highly gratifying and satisfactory, showing not only the prevalence of perfect tranquillity, but the cheerfulness, subordination, industry and general good conduct of the labouring population throughout the whole of this province. His Excellency, in desiring that his congratulations may be offered to all those interested in the welfare of this Colony, not only at the present state of their affairs but at their future prospects, has thought proper that their attention should be particularly requested to the fact of not one single police station having been established, nor one single police serjeant or policeman having as yet been engaged for the judicial districts. The ordinance for the government of the apprenticed labourers directed the formation of 12 police stations, at each of which one serjeant and 10 policemen were to be quartered. The place of the latter has been supplied by the apprenticed labourers themselves. Constables selected from amongst the labourers (armed with no other weapon than a short painted staff, and distinguished from their comrades merely by a red scarf worn over the shoulder,) afford their unpaid services in maintaining order, and in executing at all hours the directions of the special justices. Unassisted by policemen, and without the intervention of a single soldier, whether from the regulars or the militia, the laws have been upheld and maintained during the last four months (and are at this moment upheld and maintained) by the labourers themselves. It would be difficult, in the annals of the most civilized and best-informed countries of Europe, to select stronger proofs of the respect and obedience paid to the laws, than are here daily afforded by the untaught and uneducated labourers who have so lately been released from the bonds of slavery.

2. The Lieutenant-governor has learned with very considerable regret, that on three estates in district C, on five in district E, on four in district F, and on one in district B, the children under six years of age are allowed neither the food, the clothing, nor the medical assistance to which they were entitled by law previously to the 1st of August. The attornies in charge of these estates have taken a most erroneous view of what they have doubtless conceived to be the interest of their employers. The miserable saving of the small quantity of plantains and of salt fish which can be consumed by children of such tender years, ought never to have been put in competition with the anger and discontent which cannot but be generated in the minds of the parents of the infants alluded to, should any of their children perish either for want of food properly prepared, or of a little medicine. It is a most mistaken idea to expect that the labourers will be induced by such measures to apprentice their children to the estates. The labourers would rather see their children perish than take any step which would throw them back again towards a state which (in their opinion) approximates to slavery. A great deal has been said, and a great deal has been written, relative to the propriety of importing free labourers. These young children on the estates are a race of free labourers, than whom no better can be procured. If treated with kindness and trained with care, they will grow up an attached and a useful body of free labourers, to the great benefit of the estate on which they may have been brought up, as well as to the Colony in general.

3. It

3. It has been reported to his Excellency the Lieutenant-governor, that on two estates in district G, on two estates in district D, and on the greatest number of the estates in district A, the prædial labourers perform their labour of seven and a half hours by working four hours in the morning; after which they are compelled to lay-by for two or for three hours, and then to work for three hours and a half. This mode of exacting the quantum of labour due to the employer is of all others the most annoying and irritating to the labourer, who is thus deprived of the afternoon, which on every estate, when he works with diligence, he can otherwise secure for himself. The Lieutenant-governor has desired that it should be expressed as his decided opinion, that this division of the time the labourer is to work on the plantation, should never be resorted to but under some very sufficient and cogent reasons, and then only for as short a time as possible. It vexes and provok s t he labourer, without in the slightest degree benefiting the estate.

4. The Lieutenant-governor hopes and trusts that the proprietors and attornies (as the case may be) of those 13 estates on which food and medicine are withheld from the children under six years of age, as also of those estates on which the labour is exacted from the prædial apprentices in a manner calculated to allow them so little time to themselves, will, upon due reflection, see the propriety of their adopting the same line of conduct as has been pursued by the great majority of their brother colonists.

The West India proprietary body (in England) have pledged themselves to afford every aid in carrying successfully into effect, a measure not only imperiously called for by the British Government and the British nation, but which is now the law of the land. The Lieutenant-governor will be sorry to have to forward to England the names of any estates in this Colony, whereon measures are adopted which, although perhaps strictly within the bounds of legality, are at variance with the principles of the Abolition Act, with a view to their being communicated to the West India proprietary body; but it is to the general good his Excellency must look, and not to the interests of individuals. The proprietors and mortgagees at home must be made acquainted with the names of all such as may obstinately persevere in a line of conduct so detrimental to the real interests of the parties more deeply concerned, as well as so hostile to the future prosperity and advancement of this splendid Colony.

By Command.

Guiana Public Buildings,
22 January 1835.

(signed) *Henry Gloster*, Gov. Sec.

— No. 122. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen*, dated Camp House, Demerara, 4 March 1835.

No. 122.

IT affords me great pleasure to be able to state to your Lordship that the most complete tranquillity continues to prevail throughout the whole of this province, and that the industry and good will with which the apprenticed labourers perform their work is now pretty generally acknowledged by even the mass of the planters themselves. Wherever complaints have been made against the labourer, it has appeared upon investigation that (in nine cases out of ten) it has been the quantum of work attempted to be exacted from them, and not to labour itself, that the labourers have objected. In very many cases the labourer was more sinned against than sinning. I do not believe that at this moment there is a single estate in British Guiana on which a reasonable proportion of work, commensurate to 7½ hours labour, is not performed by the apprenticed labourers.

I deem it my duty further to remark to your Lordship, that since the 1st of August there has not been an instance of a white man upon an estate being struck or ill-treated by a negro; nor has a single building or cane-field been maliciously set fire to. These facts speak strongly in favour of the labourers. On one estate (La Hague) the sea-dam gave way early on a Sunday morning. The negroes, without waiting to be summoned, ran down in a body with their tools, and instantly repaired the dam; thus preventing the estate from being ruined for several years. The manager (who is a very intelligent and superior man, and has acquired completely both the confidence and respect of the people) assured me that the labourers neither asked or expected any remuneration for performing this service. On another estate, called La Bonne Intention, the

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the buildings accidentally caught fire. The fire was extinguished by the exertions and good will of the negroes. The manager assured me that he was compelled to order the labourers to come down from the tops of the buildings, and not expose themselves to the very imminent danger they voluntarily encountered to preserve their master's property. With patience, firmness, and above all good temper, on the part of the justices and of the planters, there cannot be a reasonable doubt (in my opinion) but that the labourers of this Colony will continue to perform their duty, and that the produce to be raised by the industry of the apprenticed labourers will exceed the amount of that which was formerly obtained from the slaves.

— No. 123. —

EXTRACT of a DESPATCH from Sir *J. Carmichael Smyth* to the Earl of *Aberdeen*, dated Camp House, Demerara, 13 April 1835.

No. 123.

AWARE of the anxiety of your Lordship relative to the state of this Colony, I cannot allow the present opportunity of writing to England to pass by without respectfully laying before your Lordship the accompanying reflections (which I have put together under the head of Memoranda), relative to the quantity of sugar exported from this river during the last six months. The facts upon which I have reasoned have been carefully collected from the books of the custom-house, and justify (in my humble opinion) the most sanguine expectations as to the future industry of the apprenticed labourers.

Upon the estate close to this town, called the Penitence, and to which I had occasion to allude in my Despatch of the 4th March, I am happy to be able to say that every man and every woman are performing their full proportion of work, to the complete satisfaction of the manager, as also of the special justice in whose particular charge that subdivision of the district in which plantation La Penitence is situated has been placed. This triumph of mild but firm measures ought to have a corresponding good effect, and convince the most obstinate of the propriety of never resorting to extreme measures so long as any one method of persuasion has been left untried.

I cannot lay before your Lordship a stronger proof of the established tranquillity of this Colony, even in the opinions of the colonial members of the Court of Policy, than by informing your Lordship, that instead of a sergeant and 10 policemen for each of the 12 judicial districts of this province, we have not as yet one single policeman. In the estimate for our expenses for this year, one policeman for each district, at the pay of 300 guilders for the six months commencing on the 1st July next, has been inserted by the Court of Policy. These 12 persons (whose services are not to commence until 11 months after the expiration of slavery) will only cost to the Colony, for the six months of the present year, a total of 257 *l.*, or about 21 *l.* 10 *s.* each. The real truth is, that in no one part of His Majesty's dominions is the law more promptly obeyed or the public tranquillity more firmly established.

MEMORANDA.

SLAVERY ceased upon the 1st August 1834; whatever sugar was shipped from this river during the months of October, November and December 1834, was consequently produced by the labour of the apprenticed labourers. If we compare the quantity as alluded to, with that shipped during the same periods in former years, (and which was produced by the labour of slaves), the result will enable us to form some opinion as to the working of the apprenticed system:

Upon

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	Hogsheads.
Upon an average of the three last quarters of the years 1831, 1832 and 1833, the quantity shipped from hence amounted, for each quarter, to - - - -	16,716
As the apprenticed labourers work only 7½ hours per day, or one-sixth less than the slaves were liable to be compelled to labour, one-sixth less produce, or 3,930 hogsheads of sugar less than the quantity formerly produced in the same period, ought to be deducted in estimating the produce to be fairly expected, and which would leave - - - - - - - - - - - -	13,823
But the apprenticed labourers have produced during the last quarter of the year 1834 - - - - - - - - - - - - - -	16,587
Being 2,764 hogsheads more than it would appear the planters had a right to calculate upon. This has been done notwithstanding the very unfavourable weather, and exceeds the quantity produced by slave labour in the same periods in 1831 and in 1832.—Again:	
The average of the number of hogsheads of sugar shipped during the first quarters of 1831, 1832, 1833 and 1834, amounts per quarter to - - - - -	12,088
To estimate what ought to be expected during the first quarter of 1835, deduct one-sixth of the above, or 2,014 hogsheads, and which leaves - - -	10,074
But the quantity shipped during the 1st quarter of 1835 is - - - -	11,986
Being above the quantity the planter had a right to expect, of - - - -	1,912

From the above statement it would appear, that from the river Demerara alone that 4,676 hogsheads of sugar have been shipped during the last six months, more than (with a diminution of one-sixth of his labour) the planter had a right to expect; and more than was produced by slave labour during the same periods in 1831 and 1832. If, in reply to this observation, it should be stated that the planter has paid for extra labour, it may be remarked, that it has been money well laid out: 4,676 extra hogsheads of sugar fetching each (in the sugar market) from 20 *l.* to 25 *l.*, afford a total (even at 20 *l.* each) of 93,520 *l.*; a profit which will surely induce the planter to lay out much larger sums than he has hitherto done, in the payment of extra and willing labour.

The foregoing remarks apply only to Demerara river. The returns from the Berbice custom-house have not as yet been received. It is, however, understood that the accounts from Berbice are still more favourable.

12 April 1835. (signed) *J. Carmichael Smyth.*

— No. 124. —

Copy of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen.*

My Lord, Camp House, Demerara, 14 April 1835.

No. 124.

I beg leave respectfully to lay before your Lordship the accompanying Table or Return, showing the number of apprenticed labourers whose services have been transferred by sale since the 1st of August. Your Lordship will observe that the average price of the services of an unattached prædial labourer, including the claim to compensation, has been rather more than 100 *l.* sterling; and the average price of the same services, the vender retaining the claim to compensation, has been more than 47 *l.* sterling. Your Lordship will also remark, that the average price of the services of a non-prædial labourer, and which services will cease in three years and three months, have sold upon an average, where the claim to compensation was included, at about 39 *l.* sterling each; and in those cases where the vendor has retained his claim to compensation, at about 29 *l.* each. This state of things, I beg respectfully to observe to your Lordship, does not show any depreciation of property, or a want of confidence in the benefit to be derived from the labour of the apprentices, whether in the field or in the house.

I have, &c.

(signed) *J. Carmichael Smyth.*

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TABLE showing the Number of Labourers whose Services have been sold since the 1st of August 1834, and the Average Price of such Services, inclusive and exclusive of the Compensation voted by the British Parliament.

	Number.	Amount in Guilders.	Average Price.
			Guilders.
By Public Vendue.			
Inclusive of Compensation:			
Prædial attached	none	none	none.
Ditto unattached	6	8,850	1,475 –
Non-prædial	22	10,979	543 1
Exclusive of Compensation:			
Prædial attached	none	none	none.
Ditto unattached	54	36,715	661 –
Non-prædial	33	13,295	403 –
By Execution Sales.			
Inclusive of Compensation:			
Prædial attached	none	none	none.
Ditto unattached	none	none	none.
Non-prædial	none	none	none.
Exclusive of Compensation:			
*Prædial attached	656	493,000	751 –
Ditto unattached	none	none	none.
Non-prædial	3	860	287 –

* The plantations, lands, buildings, stock, machinery, &c. &c., are included in this amount of 493,000 guilders;—14 guilders to 1 *l.* sterling.

(signed) *Henry Gloster*,
Gov. Sec.

14 April 1835.

— No. 125. —

Copy of a DESPATCH from Sir *J. C. Smyth* to the Earl of *Aberdeen*.

My Lord, Camp House, Demerara, 25 May 1835.

No. 125. A fast-sailing vessel having been cleared out at the Custom-house to sail for England this day, I avail myself of the opportunity of addressing a few lines to your Lordship, to report the happy, tranquil and contented state of this Colony. Everything is going on as well as could be wished. All that foolish excitement which lately prevailed amongst the white population is at an end. The reaction has been almost as rapid as was the sudden burst of angry feeling. I trust, however, that those better sentiments which now prevail will be more permanent; and, founded as they are upon witnessing the result of my measures, and upon the conviction now entertained that I have been actuated by an anxious desire to promote the welfare of the Colony, I am in hopes that no future causes of hostility will arise.

Your Lordship will be glad to hear that about 50 labouring men have been imported into this Colony from Madeira. They are very industrious, and as yet have given great satisfaction to their employers. They work in the field, and stand the heat of the sun as well as the negro. The food which they receive (sweet potatoes, yams or plantains, mixed up with salt fish) is the same as what they have been accustomed to all their lives. They drink no spirits. It is understood that a considerable number of these valuable labourers can be procured at Madeira. Several proprietors have already agreed with masters

of

of merchant-vessels to stop at Madeira on their voyage out here, and to bring Madeira labourers to this Colony. I am in hopes that this measure will prove of the greatest advantage to British Guiana. The apprenticed labourer will witness a number of freemen working willingly and cheerfully on the same estate with himself, and contented with a very moderate hire. The character of the field-labourer cannot but be raised in his own estimation, and in that of the negroes generally, when they witness free white men willingly submit to the same employment.

I have, &c.
(signed) *J. Carmichael Smyth.*

— No. 126. —

Copy of a DESPATCH from Sir *J. C. Smyth* to Lord *Glenelg.*

My Lord, Camp House, Demerara, 6 July 1835. No. 126.

I beg leave respectfully to draw your Lordship's attention to the following facts, taken from a careful inspection of the custom-house returns of the quarter which ended on the 30th ult., and compared with the similar documents of the four preceding years for the same period.

The average quantity of sugar entered for exportation at the custom-house of Demerara and of Essequibo, during the June quarters of the four years preceding the present one, amounts to 10,723 hogsheads per each. As the planter is entitled to one-sixth less labour from the apprentice than from the slave, one-sixth less produce might reasonably under present circumstances have been expected. For the June quarter of the present year, consequently, if 8,926 hogsheads of sugar had been entered for exportation, there could have been no just ground of complaint against the apprenticed labourer. Your Lordship will, however, learn with pleasure, that 13,189 hogsheads have been entered; being 2,466 hogsheads more than was produced in the same time under the slave system, and 4,263 hogsheads above what the planter had a right to calculate upon with his diminished labour.

The next article to be considered is rum. The average quantity entered for exportation at the custom-house, for the June quarter of the four preceding years, is 3,935 puncheons. During the same period of the present year 5,820 puncheons have been entered; being 1,885 puncheons more than was produced by slave labour, and 2,540 puncheons more than the planter had a right to expect, keeping in mind that he has only five-sixths of the compulsory labour to which he was formerly entitled.

Molasses is the next article for exportation; the average quantity of which, during the June quarters of the four last years, amounted to 5,376 puncheons. In the June quarter of the present year 5,171 puncheons have been exported; being 205 puncheons less than the four preceding quarters, but still 687 puncheons more than, from a diminution of one-sixth of his labour, the planter had a right to expect.

The average number of bags of coffee exported during the same period of the four preceding years, appears to have been 2,341. In the present year, during the June quarter, 2,501 bags have been exported; being 160 bags more than during the same period of the four last years of slavery, and 550 bags more than, with a diminution of one-sixth of the labour upon the estate, the proprietor could have calculated upon.

The culture of cotton has of late years been very much neglected in this Colony. There are still, however, some cotton estates. During the June quarters of the four last years of slavery, 808 bales of cotton was the average exported. During the June quarter of the present year, 931 bales have been exported; being 123 bales beyond the former average, and 357 bales beyond what might reasonably have been expected from the apprenticed labourer, with reference to the reduction of one-sixth of his labour.

I take the liberty of respectfully observing to your Lordship that nothing can be more satisfactory than the foregoing statements, affording as they do such irrefragable proofs of the industry and of the good will of the apprenticed labourer.

The protracted illness of the collector at Berbice has hitherto prevented my being furnished with similar returns from that district. I understand, however, that the documents from thence will be even still more gratifying.

Having in the foregoing paragraphs confined my observations to the quantum of produce obtained from the labour of the late slave in his present state of apprenticeship, I beg leave now to lay before your Lordship my last monthly (A.) reports from my 15 stipendiary magistrates (chairmen of the courts of district sessions), as to the behaviour and conduct of the apprenticed labourers throughout their several districts. I beg leave further to draw your Lordship's atten- (B.) tion to the weekly police reports for the same period from the high sheriff, and which I take the liberty to forward. From an inspection of these reports your Lordship would hardly imagine that this is a great shipping port, in which seamen and negroes are constantly at work (and in very considerable numbers) in shipping produce and in unloading vessels. As on the one hand, I do not apprehend that there is any part of the King's dominions in which the population is more tranquil and industrious than they are in this Colony ; so, on the other, I feel confident that there is no town of the same extent where there is less rioting, confusion or disorder than in George Town. In fact, the most perfect good order and regularity prevail. The police reports afford indisputable evidence of the truth of my assertions.

I have, &c.
(signed) *J. Carmichael Smyth.*

N.B.—I am sorry to find that the reports alluded to in this Despatch, marked (A.) and (B.), cannot be forwarded by the present opportunity. They shall, however, be forwarded by the next ship.

(signed) *J. Carmichael Smyth.*

Appendix (A.)

COPY of the TRIAL of *Damon and Others*, in *British Guiana*, with the PROTEST entered by one of the Court against the Sentence pronounced; and Despatches from the Secretary of State on that subject.

— No. 1. —

EXTRACTS of a DESPATCH from Sir *J. C. Smyth* to Mr. Secretary *Spring Rice*, dated Camp House, Demerara, 20th August 1834.

IN my Despatch of the 9th* inst., I had the honour to report to you that I was about to proceed to the Essequibo district, in consequence of the labourers on several estates in that district having refused to work during the hours enjoined by the Ordinance upon that subject, and approved of by His Majesty in Council. I proceeded accordingly to that part of the Essequibo district, called the Arabian coast, upon the 11th inst. The panic was so generally prevalent, that all idea of enforcing obedience to the law seemed to have been abandoned, and the proclaiming of martial law and the presence of an efficient military force were, with very few exceptions, considered by the planters as their only remaining means of safety. I am, however, happy to be able to report, that as soon as I appeared, the constabulary force, supported by the appearance of a few soldiers, was perfectly able to the preservation of the peace and the restoration of order. I visited each estate, and having explained to the labourers the absolute necessity of paying due obedience to the law, I directed a few of the ringleaders who had committed themselves by acts of violence to be apprehended by the constables, and sent to George Town for trial before the Supreme Criminal Court. This measure had at once the desired effect, and the quantum of labour as enjoined by law is now regularly performed by the labourers all over the colony.

* Sir J. C. Smyth's Despatch of the 9th August 1834, (No. 114,) p. 156, of these Papers.

The ringleaders who are committed for trial are accused of ringing the church bell during the night with a view of alarming the inhabitants, of taking possession for three days of the church and churchyard, and of conspiring together to do no work. I have issued my Proclamation summoning a session of the Supreme Criminal Court for their trial. I have, however, directed the court not to assemble till the 15th September, in order that a full month may elapse between the commitment of the prisoners and their trial, during which time all alarm and excitement will have had sufficient time to abate, and the colonial assessors will be able to do their duty in a more cool and unprejudiced manner than if the trials had immediately taken place.

I beg leave to lay before you a copy of a Proclamation which I issued upon my return from Essequibo acquainting the inhabitants of this Colony with restoration of tranquillity by the employment of the civil force only, and pointing out such measures as I deemed it my duty to recommend to them to adopt to prevent the recurrence of any similar occurrences.

I hope my conduct in this unpleasant and unexpected conduct on the part of the apprenticed labourers will meet with His Majesty's most gracious approbation.

Enclosure in No. 1.

PROCLAMATION by His Excellency Sir *J. C. Smyth*, Bart. &c. &c. &c.

Enclosure in No. 1.

1. WHEREAS considerable discontent exists amongst the labouring population upon many estates in consequence of their not having derived so much immediate benefit from the late change in their situation as (notwithstanding the full explanations they have received) they still (it would appear) imagine they are entitled to: And whereas such misconception on the part of the labourers is in a great measure to be traced to their ignorance of numbers, and to their being unaccustomed to reckon by the fractional parts of a day: And whereas there is no other method of ascertaining when the 7½ hours which the labourers ought to work per day have elapsed than by the watch of the manager, and in which method of computing time the labourers cannot be expected to place implicit confidence. Now, having taken those things into my most serious consideration, and being duly impressed with the necessity of making the labourer happy, contented, and grateful for the amount of time which the law leaves at his own disposal, I do hereby earnestly recommend to all landed proprietors and to the attornies of absent proprietors to direct the managers

on their respective estates to take the 45 hours of labour which the law allows per week at the rate as formerly of nine hours per day of five days of the week, and to grant to the labourers the sixth day (Saturday) entirely to themselves. No other arrangement will so effectually promote that good feeling between the proprietor and the labourer, without which the cultivation of the soil cannot be permanently carried on with advantage.

2. And whereas on several estates the labourers, under the feelings of disappointment, and misled by a few obstinate, perverse and ill-disposed characters, were persuaded to abstain from the performance of any labour during two or three days; I do hereby make known that in all such cases the supremacy of the law has been upheld, and obedience to its enactments has been enforced.

3. And whereas during the alarm caused by the cessation of labour on some estates, as alluded to in the foregoing paragraph, several magistrates and other respectable inhabitants solicited me to take the necessary measures to cause martial law to be proclaimed in certain districts in order to put down what appeared to them the commencement of an insurrection: I do hereby make known and declare, that had I been so unguarded as to have listened to such advice and representations, I should have been the cause of much future mischief to the province. The remedy proposed, however violent in its nature, could only have had a temporary or ephemeral effect. The existing law arms the special justices with sufficient power to uphold its enactments. The real cure for the existing discontent is only to be found in granting to the labourer the weekly aggregate amount of the time which is now by law at his own disposal in such a way as that he may feel that a real benefit is conferred upon him.

4. And whereas by the 8th section of the 6th chapter of the Ordinance for the government and regulation of apprenticed labourers, power is vested in the special justice of the peace to bind as apprentices the free children of apprenticed labourers, provided it shall be made to appear that such children are not supplied with an adequate maintenance: And whereas it has been represented to me that several special justices have taken an erroneous view of this enactment, and conceive it will be their duty to cause all the free children of the apprenticed labourers to be bound apprentices; I do hereby declare and make known, that all and any such compulsory proceedings, were they even legal, would be highly irritating and impolitic. The truth is, that there can be but very few cases indeed in which the apprenticed labourers will not be in a situation to supply adequate maintenance to their infant children. The 14th enactment of the 1st section of the 3d chapter of the Ordinance for the government of the apprenticed labourers directs that 40 working days shall be allowed to each apprenticed labourer to work upon the land allotted for his support, in all cases where, in lieu of supplying them with provisions, the employer prefers that his labourers should provide for themselves. As in this case the law contemplates that an adult labourer can supply himself with food for 365 days by labouring only 40 days, it never can be affirmed that a labourer and his wife, out of the labour of 52 days which they will each have at their own disposal, will not be able to provide for one or two children under six years of age. These considerations induce me to press the more strongly upon the proprietors and their attornies the policy, and almost the necessity, of granting the complete day to the apprenticed labourers; and which day such of the apprenticed labourers (as are parents) will be glad to employ in working for wages on the estates to enable them to provide for their young children.

5. And whereas with whatever comparative ease labour may be enforced during the six years of prædial apprenticeship, yet as it is evident that no cultivation can be permanently carried on by free people without the existence of a mutual good feeling between the employer and the labourer, I am the more anxious to impress upon the landed proprietors the necessity of laying the foundation of that reciprocal confidence with as little delay as possible. No legislative enactment can effect this most desirable object. It can only be attained by causing all those rights and privileges to which the apprenticed labourers are now entitled by law to be granted to them on the different estates with cheerfulness, and in the manner most gratifying to their feelings.

Given under my hand and seal of office, at the King's House in George Town, British Guiana, this 16th day of August 1834, and in the fifth year of His Majesty's reign.—God save the King.

— No. 2. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *J. C. Smyth*, dated Downing-street, 1 November 1834.

No. 2.

I HAVE the honour to acknowledge the receipt of your Despatch of the 20th August last, reporting the result of your visit to the district of Essequibo, in consequence of a disturbance amongst the labourers.

I approve of your having proceeded in person to the disturbed districts, and as you were enabled to report that the constabulary force, assisted by a few soldiers, were sufficient to maintain order, it would appear that you acted with sound discretion in declining to proclaim martial law.

I feel sincere satisfaction at being informed by you that the quantum of labour required by law is now regularly performed by the labourers all over the Colony, though I think it

right,

right, however, to add that there is very great alarm felt by the proprietors resident in England and by persons otherwise interested in Demerara property.

The offence of taking possession of the church and churchyard for the purpose of resistance, and the mode adopted of making signals in order to bring the negro population into combined action, exhibit a very formidable state of concert, and should on conviction be followed by severe punishments. Whilst I am confident that the postponement of the trials of the offenders was directed with the best intentions, in order to await a time of calm, when justice might be administered free of all excitement, I much regret that such postponement should have taken place. In cases of danger and of insubordination, the promptness with which justice is administered is one of the most effectual means of deterring from crime.

You will not collect from the observations which I have thus felt it my duty to make, that I have any doubt of its being your bounden duty, as I know it will be your inclination, to enforce as strictly the rights of the labourers as those of the employer. But in both cases prudence and caution, as well as promptness and decision, are required, and it is of incalculable importance to the success of the great work of emancipation, that the feelings of all parties should be respected, and that the planters and proprietors should be prepared to lend not only a full but a willing obedience to the law. In the administration of the Act, the impartiality of its provisions, and of the rights and the obligations which it created, should never be forgotten; and you will not fail to assure the employers of all classes that it is no less the desire and intention of His Majesty's Government that the most efficient protection should be afforded to their persons and properties by all the means which are at your disposal, than it is the determination of the Government to secure for the labourer all the advantages conferred upon him by the Abolition Act.

Discretion and prudence on your part, and a conciliatory spirit manifested towards all classes, may, I trust, secure for British Guiana the same happy results which have been already obtained in many of the other Colonial possessions of His Majesty.

— No. 3. —

EXTRACTS of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 12 Oct. 1834.

No. 3.

WITH reference to my Despatch of the 20th August, I have to report to you, that the Supreme Court of Criminal Justice, specially convened by me for the purpose of trying the apprenticed labourers accused of assembling together in considerable numbers in the Essequibo district, and of conducting themselves in a riotous and seditious manner, have finished their labours. They have condemned one apprenticed labourer to suffer death, four to be transported, and 32 to suffer corporal punishment and an imprisonment more or less severe according to their degree of guilt. I have given the question of the propriety and of the policy of carrying their sentences into execution my most serious and my most attentive consideration. I have arrived at the conclusion that the most humane plan will be to allow the sentence of the Supreme Court to be carried into execution with respect to the unfortunate man condemned to death, as also with respect to those four sentenced to be transported, and to extend His Majesty's free pardon to all those condemned to corporal punishment. These severe public floggings only excite horror and disgust. The obedience and tranquillity they procure are of a very uncertain and temporary nature; a thirst for revenge and a desire to resist what they cannot but conceive a cruel oppression are more likely to be generated by severe public floggings (in the minds of the apprenticed labourers) than by any other mode of proceeding which could be adopted. Such illegal and such numerous meetings of apprenticed labourers as took place on the Essequibo district must nevertheless be put down. The preservation of the public tranquillity, the lives of the apprenticed labourers themselves, demand an example to uphold the supremacy of the law. I have therefore determined to allow the law to take its course with respect to the apprenticed labourer condemned to lose his life, as also with respect to those four sentenced to be transported to New South Wales.

I beg to lay before you a copy of a Proclamation which I have issued upon the subject, and which I hope will meet with His Majesty's approbation.

Enclosure in No. 3.

PROCLAMATION by His Excellency Major-general Sir *James Carmichael Smyth*, Bart., K.C.B., &c. &c.

Enclosure in No. 3.

WHEREAS the Supreme Court of Criminal Justice, assembled in obedience to my Proclamation of the 2d of September last, in a special session, at the Court House, in George Town, have concluded their labours; and whereas after a patient and impartial trial (in which they had the benefit of being assisted and defended by able counsel) the following prisoners have been found guilty of the crimes with which they were severally charged, and have been sentenced as follows; viz.

Damon, of plantation Richmond, an apprenticed labourer, convicted of seditious riots and disturbances against the public peace, has been condemned to be taken to the place of execution and there to be hanged by the neck, on the 13th instant, until dead.

Frederick, of plantation Devonshire Castle, an apprenticed labourer, has been convicted of the same crimes, and has been condemned to be transported to His Majesty's colony of New South Wales, and to be kept there to hard labour for the term of his natural life.

Fothergill, of plantation La Belle Alliance, an apprenticed labourer, has been convicted of the same crimes, and has been condemned to be transported to His Majesty's colony of New South Wales, and to be there kept to hard labour for the term of 14 years.

Bob, of plantation Lima, an apprenticed labourer, has been convicted of the same crimes, (with the exception of the words sticks and staves, in the third count of the indictment,) and has been condemned to be transported to His Majesty's colony of New South Wales, and to be there kept to hard labour for the term of 14 years.

William, an apprenticed labourer, in the employ of Theobald Featherstone, esq., has been convicted of exciting others to sedition, and has been condemned to be transported to His Majesty's colony of New South Wales, there to be kept to hard labour for the term of 14 years.

Now, having taken the foregoing sentences into my most serious consideration, being duly impressed (on the one side) with the necessity of maintaining public tranquillity, and being anxious (on the other) to carry into effect His Most Gracious Majesty's benign orders to temper, upon all occasions, justice with mercy, I do hereby make known and declare, that the sentence awarded to the convict Damon will be carried into execution on the 13th instant; and that the convicts Frederick, Fothergill, Bob and William, sentenced to be transported, the first for life and the others for 14 years each, will be sent to their place of destination by the earliest opportunity. I trust that the examples afforded by the fate of these five rash and ill-judging men will be sufficient to uphold the supremacy of the law. Under this impression, and being desirous to save the remainder of the convict labourers from the disgrace, pain and infamy of the public floggings (more or less severe) to which they have been severally sentenced, and in the ardent hope that mild and conciliatory measures will prove much more lasting incentives towards good and industrious conduct in future than can be obtained by the terror of the lash, and by degrading exhibitions of corporal punishment and of bodily sufferings, I do hereby extend His Majesty's free pardon to the 32 apprenticed labourers sentenced by the Supreme Court of Criminal Justice to imprisonment and to be publicly flogged.

And whereas it not only appears upon the minutes of the trials of these apprenticed labourers, but also from special and detailed depositions upon oath, which have been forwarded to me, that upon several estates the pigs belonging to the apprenticed labourers of those estates have been slaughtered since the 1st of August (on one estate 65 were killed on the morning of Sunday, the 3d of August,) I do hereby make known that the documentary evidence relative to these transactions has been placed in the hands of His Majesty's attorney-general, with instructions to proceed with the utmost rigour of the law against all persons accused of having thus injured the property of their humble dependents. Being, however, anxious to encourage and to introduce a better feeling upon each and every estate (if possible) throughout the province, between the employer and the labourer, I am willing to draw a veil over these and such similar transactions as may have taken place under the state of excitement which has more or less prevailed since the 1st of August: provided, nevertheless, that the complete value of the pigs and poultry destroyed be, in all cases and without loss of time, made good to the labourers, to the entire satisfaction of the chairman or stipendiary justice of the district.

I wish, lastly, to avail myself of the present opportunity of again impressing upon the minds of the Colonists in general the absolute necessity of temper, conciliation, kindness and forbearance towards the labouring population. Such conduct on their part is fully as necessary for the prosperity of this magnificent province, as the subordination and obedience of the labourer. The latter, in fact, cannot be maintained without the former. There have been but too many references to district courts, and but too many trials which might have been avoided. As, however, the late excitement has now happily subsided, I trust that in future the obedience of the labourers will be cheerful, and the conduct of each and every employer kind and conciliatory.

Given under my hand and seal, at the Guiana Public Buildings, in George Town, British Guiana, this 11th day of October, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.—God save the King.

By His Excellency's command,
(signed) *Henry Gloster*, Gov. Secretary.

— No. 4. —

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *J. Carmichael Smyth* to the Right Hon. *Thomas Spring Rice*, dated Camp House, Demerara, 18 October 1834.

No.

I HEREWITH transmit copies of the notes of the Chief Justice and of his reports to me upon the cases of the apprenticed labourers, Damon, Frederick, Fothergill, Bob and William. I have to report that the sentence of death adjudged to Damon has been carried into effect. The four prisoners sentenced to be transported will be sent to London in the ship by which

which this Despatch will be forwarded; the master of which has entered into an engagement to deliver them in London to the order of the Right Honourable the Secretary of State for the Home Department. In addition to the judges' notes and reports, I have added copies of the indictments and of the convictions in the case of the four men under sentence of transportation.

Enclosure 1, in No. 4.

Enclosure 1, in No. 4.

Sir, Presidency, George Town, 3 October 1834.

I HAVE had the honour to receive yesterday your Excellency's letter of the 1st instant, and, in reply, have to state, that Damon, Frederick and Fothergill were, in my opinion, legally convicted in due course of law.

I have since those trials thought much and anxiously on the subject, but regret to state that, in my opinion, no reasons exist for the total or partial remission or commutation of any of those sentences.

I have, &c.
(signed) *Charles Wray.*

To His Excellency
Sir James Carmichael Smyth, Bart.,
Lieutenant-governor, &c. &c.

A true copy, which I certify,
Henry Gloster, Government Secretary.

Enclosure 2, in No. 4.

Enclosure 2, in No. 4.

Sir, Presidency, George Town, 9 October 1834.

IN answer to your Excellency's letter of the 3d instant, I have the honour to forward my notes in the cases of Bob and William, together with copy of the indictments and sentences, and the remarks of Mr. Justice Willis on the sentence of William.

In my opinion their convictions were obtained in due course of law. I regret to add that, in my opinion, no reason exists for the total or partial remission or commutation of either of those sentences.

I have, &c.
(signed) *Charles Wray.*

To His Excellency
Sir James Carmichael Smyth, Bart.,
Lieutenant-governor, &c. &c.

A true copy, which I certify,
Henry Gloster, Government Secretary.

Enclosure 3, in No. 4.

Enclosure 3, in No. 4.

ELEVENTH CRIMINAL SESSION.

Demerara and Essequibo, to wit. } IN the Honourable the Supreme Court of Criminal Justice in and for the District of Demerara and Essequibo, in the Colony of British Guiana. William Arrindell, His Majesty's Attorney-General in and for the Colony of British Guiana, Ratione Officii, *versus* Damon, Adonis, otherwise Donis, and Chance, apprenticed labourers, attached to Plantation Richmond; Fothergill, an apprenticed labourer, attached to Plantation La Belle Alliance; Frederick, an apprenticed labourer, attached to Plantation Devonshire Castle; Billy, an apprenticed labourer, attached to Plantation Exmouth; and Peter, an apprenticed labourer, attached to Plantation Coffee Grove.

His Majesty's attorney-general in and for the Colony of British Guiana, ratione officii, giveth the court here to understand and be informed, that Damon, Adonis, otherwise Donis, and Chance, apprenticed labourers, of plantation Richmond, in the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district; Fothergill, an apprenticed labourer, of Plantation La Belle Alliance, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; Frederick, an apprenticed labourer, of plantation Devonshire Castle, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; Billy, an apprenticed labourer, of plantation Exmouth, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; and Peter, of plantation Coffee Grove, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; being persons of evil, seditious and turbulent dispositions, and maliciously intending and endeavouring to disturb the tranquillity, good order and government of this Colony, and to endanger the persons and property of a great number of His Majesty's quiet and peaceable subjects, did, on the first day of August, in the fifth year of the reign of our Sovereign Lord William the Fourth, and on divers other days and times between that day and the 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously intend, devise and endeavour, as much as in them lay, to raise and create insurrections, riots and tumults within this Colony, for the disturbance of His Majesty's peace, and to the great terror and annoyance of his liege and peaceable subjects; and

and that the said Damon, Chance, Adonis, otherwise Donis, Fothergill, Frederick, Billy and Peter, in prosecution of their said wicked intention and purpose, and for the effecting and accomplishing thereof, on the said first day of August, in the year aforesaid, and on the said other days and times, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, with force and arms, unlawfully, wickedly and maliciously incited, encouraged, and, as much as in them lay, endeavoured and laboured to persuade, instigate and prevail on divers liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, inhabiting in the said parish of the Trinity, and in the neighbourhood of the same, with force and arms unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to injure and annoy a great number of the peaceable subjects of our said Lord the King in their persons and properties, and that by means and in pursuance of the said wicked instigation and endeavouring of the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, a great number of persons, to the number of 100 and more, to the attorney-general aforesaid as yet unknown, afterwards, to wit, on the ninth day of the said month of August, in the year aforesaid, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, routously and tumultuously assembled and gathered together to disturb the peace of our said Lord the King; and, being so assembled and gathered together, did then and there unlawfully, riotously, routously and tumultuously continue together in a riotous and tumultuous manner for a long time, that is to say, for the space of three days then next following, and during all that time committed many great, violent and enormous outrages, in breach of the peace of our said Lord the King, to the very great terror, disturbance and grievance, not only of many of His said Majesty's quiet and peaceable subjects then inhabiting and residing there, but also of all other of His said Majesty's quiet and peaceable subjects then and there passing and repassing in and about their lawful affairs and business, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony of British Guiana, ratione officii, giveth the court here further to understand and be informed, that the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, being such persons as aforesaid, and unlawfully, maliciously and wickedly devising, intending and endeavouring to disturb the peace of our said Lord the King, and to cause other insurrections, riots and tumults within the Colony, to the great terror, annoyance and disturbance of His Majesty's liege and peaceable subjects, afterwards, to wit, on the first day of August in the year aforesaid, and on divers other days and times between that day and 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously incited, stirred up, and as much as in them lay endeavoured and laboured to persuade a great number of other liege subjects of our said Lord the King, whose names to the Attorney-general aforesaid are as yet unknown, with force and arms, unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our Lord the King, and to terrify, annoy, disturb and injure many other of His said Majesty's liege, peaceable and quiet subjects, in contempt of our said Lord the King, in open violation of the law, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending; and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Damon, Adonis, otherwise Donis, Chance, Fothergill, Frederick, Billy and Peter, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the ninth day of August in the year aforesaid, with force and arms, to wit, with sticks, staves, and other offensive weapons, and with flags and colours erected and flying, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously did assemble and gather together to disturb the peace of our said Lord the King, and being so assembled and gathered together, armed as last aforesaid, did then and there unlawfully, riotously and routously, make a great noise, riot and disturbance, and did then and there remain and continue armed as last aforesaid, making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror not only of the liege subjects of our said Lord the King then being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Damon, Chance, Adonis, otherwise Donis, Fothergill, Frederick, Billy and Peter, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the ninth day of August in the year aforesaid, with force and arms, to wit, with flags and colours erected and flying, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously did assemble and gather together to disturb the peace of our said Lord the King; and, being so assembled and gathered together as last aforesaid, did there and then unlawfully, riotously and routously, make a great noise, riot and disturbance, and did then and there remain and continue, with the said flag and colours erected and flying, making such noise, riot and disturbance for the space of two days then next following, to the great disturbance

disturbance and terror not only of the liege subjects of our said Lord the King then being and residing, but of all others the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity.

(signed) *William Arrindell*, Attorney-general, R. O.

The accused, Damon, pleaded not guilty.
The accused, Adonis, otherwise Donis, pleaded not guilty.
The accused, Chance, pleaded not guilty.
The accused, Fothergill, pleaded not guilty.
The accused, Frederick, pleaded not guilty.
The accused, Billy, pleaded not guilty.
The accused, Peter, pleaded not guilty.

The court unanimously find all the prisoners guilty on the first, second and fourth counts of this indictment, and on the third count with the exception of the words "sticks and staves."

His Honour Charles Wray, Chief Justice; His Honour J. Walpole Willis, First Puisne Judge; His Honour Samuel Firebrace, Second Puisne Judge; Mr. R. Buchan, Mr. N. M. Manget, Mr. George Booker, Assessors.

Damon -	His Honour the Chief Justice - -	Death.
	His Honour the First Puisne Judge -	Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
	His Honour the Second Puisne Judge	Death.
	Mr. R. Buchan - - - -	Death.
	Mr. N. M. Manget - - - -	Death.
	Mr. George Booker - - - -	Death.
Frederick -	His Honour the Chief Justice - -	Transportation for life.
	His Honour the First Puisne Judge -	Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
	His Honour the Second Puisne Judge	Transportation for life.
	Mr. R. Buchan - - - -	ditto.
	Mr. N. M. Manget - - - -	ditto.
	Mr. George Booker - - - -	ditto.
Fothergill -	His Honour the Chief Justice - -	Transportation for 14 years.
	His Honour the First Puisne Judge -	Nine months' imprisonment, and hard labour every alternate week on the tread-mill.
	His Honour the Second Puisne Judge	Transportation for 14 years.
	Mr. R. Buchan - - - -	ditto.
	Mr. N. M. Manget - - - -	ditto.
	Mr. George Booker - - - -	ditto.
Adonis and Chance.	His Honour the Chief Justice - -	One month's imprisonment, and 200 lashes.
	His Honour the First Puisne Judge -	Six months' imprisonment, and hard labour on tread-mill.
	His Honour the Second Puisne Judge	One month's imprisonment, and 200 lashes.
	Mr. R. Buchan - - - -	ditto.
	Mr. N. M. Manget - - - -	ditto.
	Mr. George Booker - - - -	ditto.
Peter and Billy.	His Honour the Chief Justice - -	One month's imprisonment, and 100 lashes.
	His Honour the First Puisne Judge -	Three months' imprisonment, and hard labour.
	His Honour the Second Puisne Judge	One month's imprisonment, and 100 lashes.
	Mr. R. Buchan - - - -	ditto.
	Mr. N. M. Manget - - - -	ditto.
	Mr. George Booker - - - -	ditto.

SENTENCE.

The court condemns the prisoner Damon to be taken hence to the place from whence he came, and on Monday the 13th day of October proximo, to be taken thence to the place of execution, and there to be hanged by the neck until dead.

The court condemns the prisoner Frederick to be transported beyond the seas to His

Majesty's Colony of New South Wales, and there to remain and kept to hard labour for the term of his natural life.

The court condemns the prisoner Fothergill to be transported beyond the seas to His Majesty's Colony of New South Wales, and there to remain and kept to hard labour for the term of 14 years.

The court condemns the prisoners Adonis and Chance to be imprisoned in His Majesty's gaol of this district for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 200 lashes with a cat-o'-nine-tails on their bare back.

The court condemns the prisoners Billy and Peter to be imprisoned in His Majesty's gaol of this district for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 100 lashes with a cat-o'-nine-tails on their bare back.

Thus done at the 11th Session of the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, George Town, Demerara, this 26th day of September 1834.

(signed) *Charles Wray*, C. J.
John Walpole Willis, J.
Samuel Firebrace, J.
R. Buchan.
N. M. Manget.
George Booker.

By the Court,
(signed) *Charles Wilday*, Registrar.

I voted Guilty.—With regard to the punishment, I voted Damon, Frederick and Fothergill each nine months' imprisonment, with hard labour every alternate week on the tread-mill; Chance and Adonis six months, with hard labour on the tread-mill in the same manner; and Billy and Peter three months, with hard labour, and tread-mill in like manner also.

I gave my reasons for my vote with regard to the punishment of the prisoners in the following words:

"I think it right to state the reasons for the vote I have given respecting the sentence of these prisoners. That there was a tumultuous assembly, an unarmed mob, of which the prisoners at the bar formed a part, has, I think, been sufficiently proved. I say an unarmed mob as a matter of fact, not of legal inference, because it has been proved by the first witness that he never saw a weapon in any of their hands. The tumultuous meeting took place shortly after the advent of a much-written of period, whence a material change was to take place in the conditions of the labouring population; a change which does not appear to me to have been altogether distinctly comprehended, although frequently attempted to be explained; a change naturally productive of more than ordinary excitement. These negroes appear to me to have distrusted those vested with authority in their immediate neighbourhood, and to have relied upon the Governor or the King for that redress which they erroneously conceived they were entitled to. They seem indeed at once to have yielded that implicit obedience to his Excellency the Governor which they long and contumaciously refused to pay to the civil, and I may add also, to the display of the military power: at the command of his Excellency they at once dispersed. Many circumstances aggravating the crimes of the prisoners have been brought to the notice of the court by the evidence of negroes who were themselves concerned in this untoward business. Let me here say a few words as to negro evidence. The negroes at present are, I fear, in general but slightly impressed with the sacred obligation of an oath: of this in the present case the witness Natt is an instance. How then can truth be expected where there is no conscientious conviction of the sin and danger of perjury? The negroes are also destitute of education; so ignorant indeed that they can with difficulty discriminate between right and wrong, or detail an ordinary statement with reasonable accuracy. I think the testmony of the witness Jonathan, when he swears 'there was no shouting;' of Jackey, with respect to his sleeping and the ringing of the church bell; and of Natt, who says, 'they went to church on Friday, and staid there a whole week,' fully warrants these observations. But in this case the negro evidence is not in many instances what may be termed pure negro evidence: it is the evidence of negroes who, by their own statements, are accomplices and participators in the offence; not pardoned accomplices, but men swearing for their pardon, liable to be tried for the same offence, and convicted on their own admissions. I think their testimony therefore entitled to very little credence. I cannot help noticing, as an important feature in this case, the declaration of this deluded mob when they expected to be fired upon by the soldiers: they cried out, 'The soldiers might shoot them or kill them; they are unarmed, they could die but once." No active resistance to the military, notwithstanding the overpowering multitude of the mob, was even for a moment thought of or contemplated.

"It is, however, most true that all the prisoners are proved to have been present at this unlawful meeting, and that Frederick as spokesman, Damon as captain, together with Fothergill, and Adonis and Chance as subordinates to Damon, were prominent in this disgraceful mob. Billy and Peter were also parties. The offence is one of considerable

magnitude, but in the measure of punishment the several circumstances must be well considered. Punishment, however, is indispensable. These deluded men must be convinced that it is not only their duty to obey the laws, but also to respect the authority of those under whose more immediate control the laws have placed them. On the present occasion, however, I am inclined to temper the sentence with a leniency that can never again be expected. I wish to try, to use the words of the late Secretary of State for the Colonies, 'the firm but gentle influence of legitimate authority.' Looking at the principle but not the law, for the law has been repudiated by the attorney-general, who has not thought fit to proceed under it; looking, I say, at the principle of the seventh chap. of the Model Draft, as carried into effect by the sixth chap. of the local Ordinance (confirmed by His Majesty in Council, in conformity with the Abolition Act), with regard to the punishments for a similar offence to the present; looking also, as I conceive I have every right to do, to the punishment elsewhere inflicted by courts acting on similar maxims of law under the like circumstances, I have been led to award the punishments to the prisoners declared by my vote. In the case of the Haddington rioters, 16 July 1831 (Alison, p. 315), it appeared that a mob surrounded the court-house at Haddington, where two prisoners, apprehended for an outrage at Greenlaw election, were under examination before the sheriff depute of the county, broke open the door of the court-house with a great beam used as a battering ram, and carried off the culprits in triumph. This offence was visited with 18 months' imprisonment; not imprisonment and hard labour, but simply imprisonment. On the 18th of July 1831, Ralph Forrester, one of the Reform rioters on the North Bridge of Edinburgh, where an attempt was made, though not by him, to throw the Lord Provost over the North Bridge, was sentenced to nine months' hard labour in Bridewell (Alison, 527). These, be it observed, were very active riots, the mob attempting, in the latter instance, the life of the chief magistrate of the northern metropolis of Britain; riots too by persons far more advanced in civilization than the wretched prisoners at the bar. In conclusion, I would observe, that, notwithstanding the earnest manner in which Mr. Arrindell deprecated the court, even looking at the principle with regard to the punishment of offences like the present, as contained in the local Ordinance, that I do not know of any case where a prosecutor might have proceeded either under a statute or at common law, and has, as in this case, elected to proceed according to the latter, that a larger degree of punishment than that prescribed by the statute, although the statute be not acted upon, has been awarded. If there be any such cases, I am not aware of them. I do not say that this may not be done; I only say that I do not remember that it ever has been done, and at present I should not like to do it.

"I have to request these observations may be placed on the Minutes, and an official copy transmitted to His Excellency the Governor."

The observations were placed on the Minutes without reading them publicly, on the suggestion of the Court that this course would be more expedient.

26 September 1834. (signed) *John Walpole Willis*, J.

A true copy, quod attestor,
(signed) *Charles Wilday*, Registrar.

Eleventh Criminal Session.

Extract from the CRIMINAL NOTE BOOK of His Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, the 23d September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, ratione officii, *versus* Damon, Adonis, Chance, Fothergill, Frederick, Billy and Peter.

Charles Bean.—I reside on plantation Richmond, Trinity parish, Essequibo. I know the prisoner Damon; he is since the 1st of August an apprenticed labourer, attached to plantation Richmond. I know Adonis; he is the same; and also Chance. On Saturday the 9th August the apprenticed labourers of Richmond all struck work, and towards the evening they began to congregate, combined with the gangs of several other estates. They assembled in large numbers in the churchyard, to the amount of several hundreds; also on the public road. Their number increased so fast that many of the managers and overseers of other estates came to Richmond to report the danger. At Richmond there were one or two special magistrates. On the report of the managers and overseers we thought it right to send to the post at Capoey to call in the aid of His Majesty's troops which are there stationed, and also to send another representation to his Excellency the Governor. Many of the gang had been four or five days previously to that in a state of insubordination, having struck work altogether. Captain Grove, of the 25th regiment, marched from Capoey to La Belle Alliance from 40 to 43 men. I saw them quartered at La Belle Alliance. The rioters continued in possession of the roads and churchyard between 12 and 1 o'clock, when the inhabitants were alarmed by a violent ringing of the church bell, and loud shouting, which lasted about a quarter of an hour. I went over there the next morning to the churchyard, where they were assembled in large numbers. I went among them into the churchyard. I was on horseback, and went close round the church steps; they mustered round me in large numbers, many hundreds. I endeavoured to persuade them to return to their

plantations and obey the law. The prisoner Frederick addressed me in the name of the people round me, so far that he appealed to the people round me, who approved of what he said. Frederick said it was not the true law; they were all freemen, and would not be bound. I did not notice at that time any of the other prisoners. I was with the people from about half-past seven to half-past eight. Frederick also said they wished to see the Governor. He spoke of his own condition, and of the people round him both. I asked him if they would obey the Governor if he did come down? The reply of Frederick, in the name of the rest was, "They must see him first." I then told him that when the Governor came he could not tell them anything different from what I had told them, anything different from the law, which had already been explained to them; that they were bound apprentices for six years, and must work seven and a half hours a day during that period. On that they set up a loud shout, and I left them, finding I could make no impression. Frederick was spokesman throughout; but I add that when many of the crowd appeared to be very rude and violent, he silenced them and kept them in order. I never saw a weapon in any one of their hands at that time. I saw two or three flags; one flag was hoisted, and the others on the ground in a shed. One large flag on the ground appeared to be perfectly new; it was a white flag, with a dark St. Andrew's cross on it. The hoisted flag was on a pole near the church door; the pole was about 20 feet long. The pole was fixed in the ground. When I first went into the churchyard there were from 200 to 300 there, afterwards they increased to about 600 to 700: this was on Sunday morning. They certainly did not assemble for the purpose of attending the church, because they had been there from the evening before. I saw crowds in the yard that evening and on the public road, and on the bridges leading to the church, to the amount of many hundreds. About six o'clock on the same Sunday I sent for the constables of Richmond, and went down attended by them to the churchyard, intending to clear it and take the flag. I am a justice of the peace, but not a special magistrate. On arriving at the churchyard I found comparatively few people there, whom I addressed. There were not more than 50 at the time I got there. I told them I had come there to clear the churchyard; that there must not be any more breaches of the peace like on the preceding evening. I warned them; I told them I came as a magistrate and in the King's name to preserve the peace and to clear the churchyard, that there might be no more hoisting of flags and ringing of bells. They refused to obey, and I ordered the constables to seize the flags and flag-staffs; there were two then, but not hoisted. Whilst I was doing this they congregated in very large numbers, and two of the prisoners, Chance and Damon, were conspicuous. There was a great scuffle in opposing the constables, and Chance and Damon were prominent in it, and some of the constables were beat. The constables got the flag-staffs, but they were broken in the scuffle, and two of the rioters whom the constables had seized were rescued from them. I believe they did not get the flags, as I saw one hoisted again; that was about an hour after. Finding I could make no impression against such numbers, I told them I should call in His Majesty's troops to clear the yard. Chance and Damon were there then. Captain Grove and myself, after consulting, marched the troops down to the churchyard. By this time the numbers were very great; I should think not less than 1,000. I again exhorted them in the King's name to clear the churchyard. Many voices cried out "that they might shoot them or kill them, that they were unarmed, and could die but once." It was then dark, and the number so great I could not discover any of the prisoners. I left Chance and Damon amongst them when I went up to Captain Grove, and was not away more than 20 minutes. Previous to drawing the troops out against them I tried to get hold of the flag-staff and flag, which they had hoisted in the mean time; but the constables could make no impression. After consulting with Captain Grove, we thought the responsibility too great to fire on an unarmed multitude of men, women and children, particularly as the Governor was expected there the next day; and I again addressed them, demanding they should pull down the flag, and promise they would not ring the bell, or make a shouting, and that I would in that case withdraw the troops until the Governor came. They promised to do this, and the troops went back to their quarters. I remained a few minutes, and they again hoisted a flag which they had previously taken down. At nine o'clock I went home. I saw the same crowd going backwards and forwards on Monday, and in the churchyard. The flag was hoisted all the day on a very large staff, and I saw sentries near the flag-staff. I rode by several times, but did not address them. I cannot say I saw any of the prisoners there on the Monday. On the Monday afternoon they saw the steam-boat coming, and a number went down to the stelling; I think Fothergill was marshalling them on the stelling, but I cannot swear that he was the man. They were put in regular rows like a guard on the stelling on each side; there were a great number of others, and when the King's troops marched down, a guard of honour, they would not give way, and were not obedient to the officer, who told them to make room, and the troops made way for themselves; but the people crowded round them still. The ground the troops would have taken up was crowded by these people, and the officer placed his men in a different position.

Cross-examined by Mr. *Canty*.]—It was past the working hour when they assembled together on the Saturday; but they had refused to do any work on that day, namely, Damon, Chance and Adonis. The other magistrates with me were Mr. Rose, and I think Mr. Gilgeons; but there were more magistrates in the course of the evening. I did not go to the churchyard that evening. The church is pretty well attended on Sunday by the apprenticed labourers and the whites. Also on the evening I collared one or two persons, and they were pulled away from me by force. I explained the new state of things to the people of Richmond on the 1st and on the 2d of August. Damon, Chance and Adonis I

am certain were there on the 2d August, and the law was explained to them by the district session in my presence some time before, and they promised obedience. I offered them wages for extra hours on the Saturday, but they declined it, and said they would not work at all. No complaint was made of the allowance not being sufficient which I gave them. I went off to the steam-boat and landed with the Governor. On Monday evening, the 11th, when he got to the churchyard, I saw the flag-staff and sentries near it, but cannot swear the flag was flying; but I believe it was. The Governor said to them, "I cannot speak to you here; you must go to your respective estates, where I will see you." They were drawn up in two lines from the church door to the road, about 150 to 200 yards. They dispersed. A company of grenadiers had landed from the steam-boat, and marched up to the churchyard with the Governor. The grenadiers kept possession of the church, and slept there. It was then dark; I could not identify any one. The Governor came to Richmond; next day he addressed the Richmond people. I heard him read a paper to the people. I have since seen it both in print and manuscript. His Excellency caused six of my people to be made prisoners: Damon, Chance, Adonis, now at the bar, and Cæsar, Sam and Lawrence. I gave him those six names. The Governor put the prisoners under a guard until a boat should be got ready, and they were sent to town under a militia escort and a chenaar or two. No examination took place before the men were put on board.

Samuel Bean.—I know Damon, Adonis, Chance and Fothergill. I remember the tumultuous assemblage in August last. On Sunday evening, the 10th of August, I rode to the churchyard with my father after dinner, (the last witness,) after having collected a few constables. When we got to the churchyard we found there were still a great many persons assembled. When evening service was over they were still loitering in the churchyard. My father called upon them in the King's name to disperse, and go home; several shouted they would not; it was the King's land, and they had as much right as he or any one else. He again called on them to disperse, when several parties ran and planted two flag-staffs immediately. On one the flag was nailed, and the other was hoisted by a haulyard. I immediately rode up to one of the staffs to observe who was the party, and I observed Damon and Chance supporting the flag-staff. I asked Chance if he was not ashamed of his conduct, and called on him to put down the flag-staff. He answered me, "Sir, sir," pretending not to hear me. I repeated the order, and received the same answer. I also addressed myself to Damon, and told him his conduct was bordering on insurrection. He said to the effect he was a freeman, and did not care; he would not work for my father, or any one; he would not be bound for any one. On Monday evening I observed the people drawn up in two lines from the church door, and two people sentries over the flag-staff; one had a white sash over his shoulder, across his chest; I do not know who it was.

Cross-examined.]—Damon, Chance and Adonis were in the churchyard on Sunday evening. On Monday evening I saw hammocks under the sheds in the churchyard.

Thomas Andrews.—I was a planter. I remember many hundred negroes being collected on the 11th day of August in the churchyard. I was passing through the churchyard to go to the parsonage. I found a great many negroes, men, women and children, of all descriptions. I also observed a flag-staff; there was a flag and haulyard, the flag was not hoisted, but was ready for hoisting. As soon as I got opposite the flag, I looked up to see how it was erected; immediately I was surrounded with a great many negroes; what quantities I cannot say. They asked me what I wanted; I said nothing. They told me I had come there for that flag; I told them I had not. They said they knew I was a constable, and that I was sent for that flag. I told them I was not a constable, when immediately a strange negro told me I lied. I told them I did not come for the flag, neither did I want it. I asked what it was meant for; several said for our pleasure. I asked when they were going to hoist it; why not hoist it? Several said, when they saw the soldiers coming. I was making efforts to pass, but could not get through. After about quarter of an hour they said they knew I was constable. I said, you have a flag; you ought to have a captain. As I said that a man belonging to Mr. Bean, at Richmond, by name Damon, stepped forward; with a clap on his breast, I am captain, says he. I had known him many years. That is the man, Damon. Knowing me, I thought he might get me through, and I said to him, let me pass. Damon said he did not believe I was constable, for he had seen the constables the day they were sworn in, and he did not see me. As soon as he said that the people said, Oh, make way, as he is not a constable, and they let me pass. When I passed away about two roods I saw one of the church doors opened. I tried to go into the church, thinking to see Mr. Duke, who is the clergyman; but when I got to the step, the people said, no, not a man shall pass here. I asked why; they said not a man shall cross this door. I said, I belong to this church, and will go in; I attend service there very often, and am of the Church of England. I made three or four steps towards the door, when I received a shove in the breast, and was shoved down the steps, and had nearly lost my feet, but recovered myself. A boy named Will then fastened the door, and said, now let any one put a hand to this door. I can swear both Damon and Fothergill were there at this time. The door was then unfastened by the sexton, Harry, and I bolted into the church; after this I went to Mr. Duke's. I heard Damon say, I am captain; he had known me many years, and knew I was deaf; he was close to me, and has a strong voice, and he hallooed out. You might have heard him for a mile with good ears.

Cross-examined.]—I think the third man, Chance, assisted in preventing my getting into the church; I do not know the Richmond people so well as the Belle Alliance people, but cannot swear that Chance was one, but strongly believe it.

Adam, (sworn).—I am apprenticed labourer, attached to Richmond, belonging to Mr. Bean. I remember the disturbances; I went to the churchyard on Sunday afternoon, with my master, Mr. Bean. He ordered the people to come out of the churchyard; they said they would not come out. I know the prisoner Chance, Adonis, Damon, Fothergill, and Billy; he is of Exmouth; they were all in the churchyard. Massa said they must come out or they would get themselves in trouble. They said they would not come out, they would like to see the trouble. He ordered me and two or three more to tell them to come out easy; they said they would not come out. I was a constable, I told them. The prisoners I have mentioned were there. Chance ran away; my master saw him doing so, and said, ay, Chance, I see you already. They had a flag in the churchyard; it was on the King's road; I saw it hoisted. My master ordered me to take it down; I tried to do so but could not; too many prevented me from taking it down. Damon and Adonis were there. I did not get the flag; too much of them prevented me.

Cross-examined.]—The prisoners were all about the flag-staff. None of the prisoners put their hands on me; some others did; every one of the prisoners I have mentioned were all round the place. I heard nothing of a complaint about killing pigs.

Re-examined.]—I did not hear them complain about anything. The prisoners I have named were all then round the flag-staff.

Jonathan.—I know the prisoners Damon, Adonis, Chance and Fothergill, and I know Peter; he belongs to Coffee Grove. I remember the people meeting in the churchyard, (warned he need not tell). I belong to Tarsis, which is part of La Belle Alliance. It was on a Saturday. We got a flag in the churchyard; Damon brought the flag ready; Damon hoisted the flag and took command at the church. Damon gave the command and every one was obliged to follow his way; he commanded some to stand to the flag and hold the pole. I saw a big stick planted close to the church, but did not know who put it. Saw Fothergill walking in the churchyard, backwards and forwards, but he did not give no orders. Damon told them they must not give over the flag to the constable people there, or to nobody. He said if the soldiers came, not to give over the flag. There were sentries set. There were watchmen set. Damon told them they must not let anybody come into the churchyard. Damon called me and set me as a watchman at the church, and told me I must not let anybody come in the church. Other people were watchmen, but I did not know them; there were five more put watchmen with me at the church door, I made six. This was about seven o'clock; I watched till nine, and the others with me. A fresh gang of watchmen then came to the church and I came out. We watched inside the church. Damon came round to see that the watchmen did not go to sleep. Damon was the captain. Adonis always walked with Damon. Fothergill sometimes walked with them. None of those three kept watch themselves. There was another flag there; do not know who brought it, but the Lima people had it. I only saw two flags. On Saturday night the bell was rung, but do not know who rung it or ordered it to be rung; there was no shouting. I was there when the Governor came down; he came in the steam-boat. Damon sent some people to the water side to stop there, and he went with them. Adonis was left in charge of the church. Plenty of people went to the water side; I did not reckon them; all wanted to go, but Damon told them not, only half to go. I know Mr. Duke; he came to the churchyard; he begged the people to take down the flags; they did not. A man spoke to Mr. Duke; Damon was there.

Cross-examined.]—I belong to Belle Alliance. Our people keep hogs on that estate, Fothergill had some. I do not know what has become of them. I had a hog; it was killed. I saw many hogs dead one morning; it was the Saturday, it was the 2d of August. Manager has five hogs; his were not killed.

Re-examined.]—Do not know why the hogs were killed. Mr. Bean is attorney of La Belle Alliance. I never knew hogs were not to be kept on the plantation. They had so many hogs I could not reckon them. Every one had his own hog, and I had one. Do not know it is contrary to the rule to keep hogs. We did not turn out because the hogs were killed. (At request of prisoner's Counsel). We kept hogs since Mr. Austin died, and before.

Wednesday, 24 Sept. 1834.

Jacky, (sworn).—I am apprenticed labourer, of Belle Alliance. I remember the time the people met at the churchyard; I was there (warned before) when I first went there. When I first went there I see Damon, and Damon give orders at the church. He put them people to guard, one named Adonis and one named Abraham, of Richmond. He put Adonis to walk round to see if all them guard right. That is the man. Abraham also had to look round to see if the guard right; and Chance also, to see if the guard right; not Chance the prisoner. When Damon fix all this right, when he saw the Governor coming he took some of them people and sent them to the water side. I was there Saturday; Damon put them Saturday night to guard. When I went there Damon asked me if I had come there to stop, to join; if not, I must go away. I did not give him any answer, no or yes. When Damon fix the guard, he told them if anybody come there they must ask them if they came to join, and if they were constables to start them right back. Fothergill the prisoner walked

walked about the churchyard, and Damon gave him orders. Frederick the prisoner was at the churchyard; he was there when the parson came and begged them to take down the flag, and Frederick make answer, "it was not to be taken down at all." Some of the young boys had been away too long, and Damon put Chance, the prisoner, to make them walk backwards and forwards; can't say how long, they marched a long time. I see Damon take some people and carry them to the water side, and cut a large flag-staff and came and planted it in the churchyard, Damon took the flag and took a hammer and nail and nail it on. Damon said, he nail it on and ram it down tight, so that no person can take it off; it was a blue flag. Frederick, of Devonshire Castle, told the people to keep the flag on; prisoner is the man. Damon say they must not let anybody take away the flag; if anybody come to take away the flag they would be bound to work as they had done before. If anybody come to take the flag away, Frederick said they must hold on the flag-staff and not let them take it away. That Saturday I was under the shed; the rain was falling. I was sleepy when I heard the bell strike, and when I heard the bell strike I got up, and then I heard all the people halloo, hurra, hurra, hurra! I heard Damon say, strike the bell there, but cannot say who rung it. I remember the Governor coming there; Damon went down with some of them people to guard the Governor, and he left Chance (not the prisoner) and Frederick, the prisoner, to make room and leave a path in the middle; they did so; they made some people stand on one side and some on the other, and clear a path. Damon went to water-side. Damon left Frederick, the prisoner, and Chance (not prisoner) head men at the church.

Cross-examined].—When Governor came he told us we were apprenticed labourers for six years to work off; everybody knew that before, and I knew it. I can't tell a lie, everybody do hearee that. I don't think my master will punish me for being there; so long as the oldest people go there, I be obliged go there too. I cannot help to go there so long as the oldest people go there. I knew I was to come here as a witness. I knew when I came to town. Damon gave orders to put up the flag; I heard him. I know Damon a long time, since he was a little boy; Damon stutter, he stutter bad. I heard Saturday the Governor was coming. There was a talk about the Governor coming; some say they expected Saturday, and some Sunday. I went to the churchyard on Saturday, not in the morning, about afternoon time. I heard talk of the Governor coming before I went to the churchyard; they wanted him to come to hearee what he would say, but I did not hear anybody say what that was. The Governor talk the same law I been hear before. I heard Mr. Bean and the Protector speak about the new law on the 1st of August; suppose me believe, and all the people no believe, what can I do? I did believe them. When Damon gave the orders, I was not so far from him, in the same churchyard. I saw Damon, because he was walking backwards and forwards and gave orders. Damon put them people to guard to walk round the church, and he said if anybody came the people that were put to guard must ask them if they come to join, and if constables they must turn them away. If they did not come to join they must turn them back; I did not see anybody turned back. Damon said they must fight for the flag; he said, fight hard; they must not take away the flag; he said they must hold on by the flag. I do not know what o'clock Damon gave orders to strike the bell; when I heard the bell I was sleeping, and when I woke it was striking; some of the people asked Damon what the bell rung for, and he say, yes, he gave orders to strike the bell. The shouting out awoke me; bell strike before the shouting out; I did not hear the bell strike, but heard Damon say he gave orders to ring it. I heard that from Damon's mouth; I heard it directly I got up. Damon was a little further off than the end of the room, more than two roods off; plenty of people there all round; Damon himself speak it; he say, I gave orders to ring the bell. I saw him at that time; it was dark, but not so quite dark but I could see; I swear it was Damon say so; Damon spoke straight. My pig is alive at La Belle Alliance; other people been have pig; my pig was with my brother, who is a constable, and it was not killed. I saw people cleaning pigs on Monday morning; I saw plenty dead; some people were locked up, and their pigs were killed; we were locked up because we did not go to work.

Jacobus.—I am an apprenticed labourer on Richmond; Mr. Bean is my master. I remember the crowd at the churchyard some time last month. I recollect the 1st of August; Mr. Bean ordered the driver to call up the people. Friday morning I went; he told the people they had to go to church that Friday, and he told them about the law, that we were apprenticed labourers, by order of the King; he said we were apprenticed labourers six years; he said we were to work 7 ½ hours a day; and he said we must come to an agreement what we would ask, if we worked more than the 7 ½ hours. Damon, Chance, and Adonis, the prisoner, were there when Mr. Bean explained the law. I saw them there. Saturday before the Governor came the people were at the churchyard; I know that because I was close by; I live there. I went there one Sunday evening, when my master went there with Mr. Sam Bean. I know Damon, Adonis, Chance, Fothergill and Peter, the prisoner. I saw them all at the churchyard. On Sunday evening Massa went there to take a flag from them. They were sitting there. His master carried a handkerchief flag on a small stick. The people then put up their flag before the church door. I did not hear what Massa said. Massa and Mr. Sam Bean went away. About seven o'clock some soldiers come down with Massa to the church; I heard the bell ring in the night. Peter, the prisoner, told me I must not go into the gate of the churchyard, only white people must go in, and he turned me away. I was at the churchyard on Sunday morning. I saw nothing there, but I saw Damon and a great many people.

Cross-examined.]—No pigs are allowed on Richmond. Massa said he would give half bit an hour; that if they could not agree with him, we might go where we liked to hire ourselves.

Nat.]—I am an apprenticed labourer on Belle Alliance. I know Damon, Adonis and Chance and Fothergill (the prisoner.) I remember the people being at the churchyard; I went there myself. I saw Damon at our place, about eight o'clock on Saturday morning. He told us we must not stop in the plantation, we must go to the churchyard; he told we all so. I heard him myself say so. I went, and the whole we people went and the Richmond people. We went that same Saturday, about eight o'clock. Damon had gone before we went. When we got to the churchyard, I met Damon and Adonis. There were all Richmond people there. I saw Damon pick out people, and put them at the gate to guard. I did not see any one else pick out the people. Damon told them if they saw any constables come to the gate, they must turn them back. Damon changed the watch; they watched all the day till night. I saw no one helping Damon, but Damon and Adonis were the two head. I saw sentinels put at the church door; Damon put them there; also behind the church. There is a bell to the church. I heard the bell ring that night. Damon put Adonis, and a boy, Minas, of Belle Alliance, and John, of Richmond; he told them that when Barry, of Coffee Grove, came to the churchyard, they must toll the bell. Barry is a freeman of Coffee Grove. I saw Barry come there that night, about 10 o'clock. When Barry came in at the gate, Damon called out to Adonis to toll the bell; and John and Minas tolled it. I saw two flags in the churchyard. Damon brought one from Richmond; I saw him; it was a blue flag. Do not know who brought the one from Lima. Damon hoisted the flag from Richmond, and also that from Lima. Fothergill fetched one flag-staff, and Damon brought one from Richmond. The one Fothergill brought was not raised at all. The other flag was white, with blue in the middle. Mr. Duke came there, and told Fothergill and Damon to take down the flag; they would not take it down at all. Joe told Mr. Duke they cannot take down the flag until they know what they were workiing for; whether to work for pay, or to work for nothing. Damon was close by and heard this. When Barry came the people hold him, and put him out on the road, and told him to go away. I saw them, but do not know who. The people that do not come soon, Damon took and gave to Chance, the prisoner, to walk round the church. Damon was head of all, and Adonis; no more. I saw them giving the orders in the yard to all the rest of the people. The Governor came down. They then rigged two little flags on two sticks, and gave them to Fothergill to take to the water-side to guard the Governor. Fothergill took 20 men to go, who were reckoned by Damon. Damon went with them. I did not see anybody command in the churchyard when Damon went away. There were two small flag-staffs, and they took them down, and Minas got a cutlass and axe and went to the water-side; Damon sent him to cut down a large tree at the water-side. Minas went with a man named George to cut it down, and Damon reckoned 20 men to fetch the tree, and went with them himself. They dug a hole at the churchyard for the flag-staff; a man named Adonis (not the prisoner) dug it. The 20 men who brought it put it up. They hoisted the flag just as a flag is hoisted to the mast of a schooner; it stopped there until the Governor came. I heard Damon tell the people they must guard the flag-staff, and if constables came, not to let them go close to the flag-staff; that we all must fight for the flag-staff. The two flags first raised were rigged like those of a boat, but the one fastened to the staff from the water-side was nailed. Damon and Adonis nailed it.

Cross-examined.]—One sentry at the gate was Fothergill, one Chance (not prisoner), one Frederick (not prisoner). I do not know who went on at night. Damon's self changed them; every two hours he changed the people at night. Nobody was sleeping. I was not at the gate every time they were changed. It rained, but not very heavy that night. I was under the shed. It was a moonshine night. The shed is not far from the gate. I saw Damon change them every two hours during the night. I do not know any of the men who went on that night. I belong to Belle Alliance. I saw some people locked up there on Saturday. Cannot say what hour; about four o'clock in the afternoon. Fothergill was not locked up. The people on Belle Alliance are in the habit of keeping pigs. I saw the manager kill them on a Sunday; he lanced them, and did not shoot them. I know Thomas Dodgson; he is a coppersmith. I did not see him at Belle Alliance the day the pigs were killed. It was the Sunday after the Friday that we all go to church. The men reckoned to go to meet the Governor, were not well dressed and clean. I keep no hogs on plantation Alliance. I was in the sick-house on the 1st of August; next day I was in the negro-yard. I told the manager what I have told to the court. (I cannot say if the people have leave to keep hogs on plantation Alliance.)—Question by an assessor.

Francis Greenwich Bailey.]—I am manager of Belle Alliance. I know prisoners, all of them, from seeing them at the churchyard. On Sunday morning, about seven o'clock, on the 10th August last, I identified them for the first time. I knew Damon, Adonis, Chance and Fothergill before that time; the names of the others I have ascertained since; Frederick (Devonshire Castle), Peter (Coffee Grove), Billy (Exmouth); I swear they were all there. I was there many times and saw them most prominent and forward in the matter. I saw the prisoner Frederick speaking for more than an hour to Mr. Bean, Captain Grove, myself and others. He seemed to have a thorough control over the conduct of the people, because they invariably acquiesced in his propositions; and although there were from 700 to 800 people at least, he would at a moment's warning command silence, that he could be distinctly

distinctly heard. I heard one particular remark of his was, "I cannot be bound as an apprenticed labourer, I will not be bound, I wish I may be damned, I won't be bound. Brothers, don't you join me in that?" and all gave a general assent by shouting out "O, yes; we will join you!" During the whole time, when we could obtain silence, which could only be done through him, Mr. Bean, Captain Grove and myself were endeavouring to persuade them to desist from their illegal acts, without effect. The other prisoners were round about Frederick and very near him; they were not making themselves excessively forward, but were in front of the others, and he seemed to me to address himself to them; at that moment he appeared to have a thorough control over the whole mass. The law was explained to every negro on La Belle Alliance on the 2d August. Forthergill was there that day; it had been explained before, on the 1st of August, and somewhere about the 29th July also. The people said it was all founded on a cheat, they would not obey it. Fothergill was there; they said they would see the Governor about it. I told them the Governor could tell them no more about it than I did. The reply was, if the Governor told them that, they would not believe it; they would only believe it from William IV. They did not go to work on the 2d August. I remember pigs being killed on La Belle Alliance. The gang, with the exception of the head people and the constables, had refused to go to work before the pigs were killed. Fothergill was one who refused. The pigs were killed on the 3d.

Cross-examined.]—I had the Act of Apprenticed Labourers, and read and explained it to them, so that they cannot but understand it. I certainly should have identified the three prisoners, if not told their names. I know the three again, because they were always the most prominent, and was always before me. Fothergill was not locked up on Sunday the 3d.

Re-examined.]—The people on La Belle Alliance had leave to keep pigs, on condition they conducted themselves to my satisfaction; it was contrary to the instruction I received from the attorney of the estate. If they misconducted themselves, I was to destroy them.

Thomas Dougan.]—I am sheriff of Essequibo. I remember the disturbances in August, and the Governor going down with troops. I was on the stelling of Richmond on the evening of Monday the 11th, when the Governor was about landing from the steamer; there was a number of negroes collected on the stelling, who occupied that part nearest the step on which he was to land. A detachment of the 25th came down on the stelling for the purpose of forming a guard of honour to receive his Excellency. The troops formed opposite these people, and the officer commanding wished them to move from his front; one minute after this I saw Fothergill there; the people peremptorily refused, saying there was room enough for the Governor to pass. They were very insolent to the officer. I remonstrated with the people, and at length induced them to move off to the flank of the guard. I then observed a man step in front of them, form them in line, dress the line, and give directions and orders; I went up to him and asked him his name; he hesitated for awhile, and then replied his name was Peter, of La Belle Alliance; this man was Fothergill, the prisoner. I pointed the man out the next morning at La Belle Alliance to the Governor, and then ascertained his name was Fothergill.

Cato.]—I am apprenticed labourer, servant to Parson Duke. I remember the disturbances in the churchyard. I know Damon, Adonis and Fothergill, the prisoners. I saw a flag flying in the churchyard on Sunday night, at six o'clock.

Parry.]—I am a freeman; I live at Coffee Grove. I remember the disturbances in August last. On Saturday night I went there. I went to the church with some other people. When I got to the gate, I heard the bell toll; and the people sung out "Hurra!" I ask "the church no commence yet?" nobody gave me no answer. A man came round and said, "what you speak to that fellow there, he is a freeman." I went into the churchyard, and the people got round me. Captain Tanner, of Richmond, a boat captain, asked me what I was doing; I said I came to the church. He said you have no business to come, because you are a freeman. Take yourself off. I went home immediately. It was dark; long time after sun-down. I was at Coffee Grove, when some people came to fetch me; sun down then; and I afterwards walked to the church.

Cross-examined.]—The men who came told me there was a great service that night, and I had a soul as well as they had, and I had better go, and I believed it and went. They never struck me; when I went out, I ran all the way home.

Thomas Dodgson.]—I am a coppersmith, and reside at Belle Alliance. I know Damon, Adonis, Chance, Fothergill and Billy (the prisoners). I remember the disturbances. On Monday, the 11th August, I was on the stelling when his Excellency arrived, and followed him to the churchyard. He desired the people to go home to their respective places, and he would see them the next day and explain the new law to them. I then walked towards the church, where there was a large flag-staff planted in the ground, with a rope and pulley attached; I saw Billy keeping sentry round the flag-staff with another man. The Governor desired him to go home, and then went into the church. Mr. Dougan was standing by, and seeing Billy still remain there, desired him to go home; but he would not move.—(Mr. Dougan, the sheriff.)—Mr. Dougan took him into custody; but the Governor coming out at the time from the church, desired he might be loosed, and he was and went away.

Cross-examined.]—I live at Belle Alliance. I know Fothergill the prisoner. I have seen

seen a good many hogs on La Belle Alliance. I saw some dead in the yard. I did not see any one kill any hog or hogs on that estate on the 2d or 3d August. I have seen some slaughtered in the yard, and in the cane piece, running loose and damaging the canes; not in the negroes' yard, but in the mill yard. I know John Hart.

John Bell.]—I am senior overseer on Coffee Grove. I know the prisoner Peter; he belongs to Coffee Grove. I remember the disturbance. Before then I had heard the law explained to the negroes, by Mr. Coleman, the magistrate of the district. Peter was there; it was on Monday, the 4th August. The negroes dissented from that explanation; they went to work afterwards, but did not do half work. The law was explained by me and Mr. Gross the next day, and also on Saturday the 9th. They said they would not be bound by it; Peter was one of them. There were no pigs killed on my estate; some before the 1st August, but none since. They were killed about the buildings, and in the cane piece, destroying property. Pigs are very destructive, if loose about property. Pigs take the canes, and hash them down and dig them up; they eat them; they do not stop at one cane, but perhaps go over two acres; it would take a couple of pigs two days to damage two acres. They do not eat a whole cane up; the lower joints of a cane are considerably sweeter than the upper. Negroes on our estate are allowed to keep pigs, if they keep them in their houses; they know they are to be destroyed if let out. A good acre of canes will yield from one to two casks of sugar, of from 17 cwt. to 18 cwt. each.

Cross-examined.]—The negroes were dissatisfied with the law. They said they would not be bound; would not work the 7 ½ hours; if the estate found them salt-fish and plantains as before, they would do 10 single beds. I think they understood very well what was meant by binding them as apprenticed labourers. Peter said he would not be bound for six years, he had learned his trade already, and might die before that. I have been on Coffee Grove three years. Peter's character is not the very best. At other times pigs have been killed when found in the cane piece or about the buildings; they were always killed if so found; no more were killed about the 1st of August than at any previous period.

Re-examined.]—Mr. Bagot, the sheriff, explained the law to our people the third time on the 9th August. It is a general rule for all pigs to be killed, if loose; all our negroes know this.

George Bagot.]—I am high sheriff of British Guiana. I remember the disturbance in August last. I went down on the Sunday the 10th; I first saw large crowds collected in the churchyard. I remember the Governor going down. I was in official communication with his Excellency. On the night of the 9th I knew the Governor would come down; I was called up in the middle of the night. On the day of Saturday I had no idea of the Governor's being expected. I spoke to some of the people on Sunday, and asked them what they were doing there; they said they had come to church; I told them the church was over, and they had better disperse. I have been in this country 34 years. In general I think hogs are not allowed on sugar plantations, but where they are, they are certainly not allowed to be kept loose.

Mungo MacPherson.]—I am manager of Hampton Court. Have been a planter 22 years. Pigs are very rarely allowed to be kept on sugar estates, because they are very destructive to the cane cultivation. I have seen in a field of canes of six or eight months' old, canes bitten by pigs close to the root and completely destroyed, without any part being ate but four or five inches close to the root of the cane. I think two pigs in a week would destroy every cane in an acre fit for making sugar; it would be impossible to bring a field round; they must be cut down to recover such a damage; it would take in some parts 12 months, in some 15, in other 18 months, 12 months in the least. No pigs are allowed on Hampton Court, but they keep some clandestinely; and I have a man with orders to kill any he finds running about; upwards of 30 or 40 pigs have been so killed since the 1st of January, and the negroes have come to beg for the carcass often.

Thursday, 25th September 1834.

Harvey.]—16th clause of the Act of Parliament, "combined resistance," is all that has been proved.

I contend they are not legally in custody; the commitment of the chief justice is illegal; they should have been referred by a special justice to this court without going to the chief justice at all. I consider the old practice was repealed by this Act.

Mr. Justice Willis quoted sect. 17; I quoted sect. 19 of the Act.

I quoted page 319, Van de Luden.

[The judges were all of opinion the objection must be overruled.]

Cauty.]—I object to the style of the prosecutor as attorney-general.—[Judges overruled this objection.]

Proclamation of General D'Urban, 18 January 1833, referring to the Order in Council, dated 2 November 1831; and also to another dated 6 November 1832.—Proclamation, 27 June 1833; Address of Sir James Carmichael Smyth to the slave population.—2 October

ber 1833, another address to the slave population of British Guiana, "In a few years you will be perfectly free," &c. [part read by Mr. Cauty].—28 November 1833, another Proclamation relating to slaves been in Europe.—21 January 1834, Address to the slave population, by Sir J. C. Smyth, as to justices' power, &c.—Act of Court of Policy, 8 February 1834.—Act for classification of slaves to be apprenticed labourers.—2 May 1834; another Proclamation of Sir J. C. Smyth, about classification.—22 May 1834; publication by Commissioner of Compensation, headed General Rules, five classes.—3 June 1834; Judges notice of sitting for classification.—22 July 1834; Act for regulation of apprenticed labourers.—22 July 1834; Ordinance for a day of rest on 1st August. From these I show the people did not understand the apprenticeship.

2d. Offence proved does not amount to what is alleged in the indictment.

Charles Bean, recalled by the Court.]—When I went to the churchyard about six o'clock on Sunday evening, after warning them to disperse, and their refusal, I told them if I held up a signal or a flag, and they did not disperse in so many minutes afterwards, they would be liable to severe punishment. One flag of theirs was flying at that time.

John Halloway Duke, called by prisoners' counsel.]—I am rector of Trinity parish; I have been so 11 months as rector, and three months as curate. I consider I do know a good deal of the negro character; I read a proclamation of the Governor, dated the 2d October 1833, to my congregation the Sunday after. This is it. I explained to the people that in about 10 months from the date of that proclamation they would be no longer slaves, but apprenticed labourers, but that in the meanwhile they were to continue slaves and to perform their duties as heretofore. That there were to be two classes of apprenticed labourers; that non-prædial would be free in four years, two years earlier than prædial apprenticed labourers; and because I knew that in general they would not understand the meaning of the term prædial and non-prædial, I acquainted them that prædial labourers were field people, and such like, persons engaged about the cultivation of land, but that non-prædial labourers were, as I understood, carpenters, coopers, smiths, and such like. I told them if they would attend at plantation Richmond the next day, they would hear the thing more fully explained by gentlemen appointed by the Governor for that purpose. The next day I was at Richmond, at the request of Mr. Bean, and there the same information was confirmed by Mr. Bean, Mr. Croal, and I believe Mr. Beete. I remember Mr. Bean said he thought there was some mistake about people attached to estates being free in four years, he rather thought it applied to people in town. The negroes in general evidently were dissatisfied. I cannot say if I put boat-people amongst those to serve four years. 2 May 1834, another proclamation was dated, which I read. This proclamation differed from the view which I had taken of the law, and which I had explained to the negroes. I think Mr. Bean was the only person who spoke at the time I was with him, and Mr. Croal and Mr. Beete; I cannot say if the prisoners heard me explain, nor were before Mr. Bean. The second proclamation gave rise to a great murmuring in the church, so much so that I was quite agitated. I know Damon and Fothergill perfectly well; I also know Adonis and Chance; I know little of them, except as coming to church; they are all four pretty regular in that respect. I was aware of meetings at the church about the 9th August. On Saturday the 9th, about 11 o'clock, I saw about 30 negroes on the three bridges between Richmond and La Belle Alliance; in an hour more, the number increased to about 60 or 70. From another window of my house I saw about as many more on the bridge between La Belle Alliance and Lima; between one and two I saw those on the bridges leave in a body, and go into what is commonly called the churchyard; it is in Trinity parish. There are two large sheds in the churchyard; under these sheds they went. In the course of an hour or two, I suppose there were collected in that place between 200 and 300 persons; I went over to my church to see if any were in it. I saw one person lying down in the church; I ordered that person out, and he went out; I then went away. On Saturday evening my catechist and his wife came to my house, and from what I heard, I went with my catechist into the churchyard; there I saw a flag hoisted before the church door; I told the people to take down the flag, which they did instantly; I told them I have no right to turn you out of this yard, but had to tell them to take down the flag, and how improper it was to bring an emblem of war before the house of God. I saw Damon there and Fothergill at that time. I do not doubt they heard what I said. Fothergill said, we will take it down, Sir, we will take it down directly; and the whole multitude cried out that they meant no harm; they had just put it up. About eight or nine o'clock I went to the churchyard again, and I saw the same multitude, some lying on the ground. I said, my friends, what do you do here? they said they had no houses, nor would they have any until they shall get hire from the plantations; when they got houses of their own, they would go to them; meanwhile as that was the King's property, they thought it was no harm to come there. I told them they were mistaken; that they were still bound for six years to their several estates, and that they knew very well no one would trouble them if they were in their houses. They said they could not be bound; the King had freed them, and they could not be bound. I told them then that they seemed to disbelieve what I said to them in my sermon on the 1st of August, in which I had told them they were to be bound apprentice for six years, working 7½ hours a day in each day. Fothergill and Damon were there at this time. There was a spokesman speaking for the rest, but not Damon or Fothergill. He said, we do not disbelieve you; you will read the paper they give you, but they give you the wrong paper; Mr. Bean give you his own paper. I saw they were

were hard to be convinced, and I left them. The churchyard is not inclosed; it once was. There was some time a habit of burying there, but it has been discontinued. I went to church the next morning at 10 o'clock; there were then about 300 people in the churchyard and about 100 in the church. I caused the bell to be rung, and the whole in the churchyard, as far as I could see, came into church; I preached a plain sermon, for the express purpose of convincing them that their meeting there was wrong. About six or seven whites were there. I never saw their conduct so orderly and so attentive as they were that morning; they listened to me with a great deal of attention. I heard on Sunday morning before service that the Governor was coming; I had heard three or four days before that the Governor was sent for; I heard it from three or four persons; I heard it from the negroes on Sunday, I think not before, but cannot be certain. On Saturday, the 2d August, after hearing a great noise at La Belle Alliance for three hours, I went over about 11 o'clock, knowing I had influence with the people, and thinking it my duty to make peace if I could; I missed the proper side line, and saw some negroes scuffling under the sick-house; I saw a white man behind the sick-house, driving some people before him, and drove them into a trench, and strike one of them. The scuffle went on amongst the negroes. I then saw Mr. Bean coming from towards the manager's house towards the place where the scuffle was, and I went into the yard itself; a great mob of 60 or 70 people was before the sick-house door, and a great noise and hubbub. I said to Mr. Bean, and said, my dear Sir, I am very sorry to see this; he said he had done all he could to quiet them. At this moment I distinguished Fothergill in the crowd, and I took him by the arm and led him away from the crowd, and two other men, Joe and Will. I talked to them, and said, call your people together under the shed, and let me speak to them; about 30 or 40 or 50 came; I pointed out the impropriety of their conduct for about 10 minutes. Fothergill called silence, and obtained it several times: at the end he said, with many others, let us go to work to oblige the parson.

Cross-examined.]—I am near 30. I borrowed these papers from the Government Secretary's office for the purpose I have used them; I gave them to the prisoners' counsel; I gave him the names of persons who could give evidence in this case; also memorandum written of what evidence I could give in this case. I was very anxious indeed to be examined as a witness in this cause, because the prisoners are parishioners of mine, and the poor of my flock have a right to look up to me. I shall be 30 in a few months. Before going to Trinity parish I resided in Nevis nearly four years, as an officiating minister of the Church of England. When I explained about the cooper, &c. I had consulted and know that my view was the view of several other persons. I believe I consulted Mr. Bean. I do not consider negroes more apt than other persons to misapprehend; I mean persons who have the same quantity of information. I know that prædium does not literally mean a field. I explained prædial as meaning field people. The impression on my mind was that Mr. Croal agreed in my interpretation. Mr. Bean's doubt as to the meaning was addressed more towards myself than the people. Some might, but many I think would not have heard it. The multitude I should think were there all Saturday night, because I heard the bell ring on Saturday night. I saw on Sunday morning I should suppose 400 to 500, at one time near 1,000. After first service nearly all went away, probably leaving not 50 people. I had two services that day; after second service not more than 50 left; they increased that evening to 400 or 500 people. I do not know they dispersed until the evening of Monday, when the Governor arrived. I was at the church four or five or six times. One time on Monday there were six or seven people in the church eating; I ordered them out, and they went out, begging pardon, and saying they meant no harm. I ordered Fothergill and another not to let any one go into the church. I asked them to take down the flag on Saturday evening when Mr. Bean was there, and some constables and the military, and they said they were sorry they could not oblige me, for if they took down their flag, Mr. Bean would hoist his, and they would be bound. I consider no violence was used to my person; on the contrary, the greatest affection that could be manifested; several of them clasped me in their arms. I went down on my knees, and requested them to go away, as I felt assured the military would fire on them, and I believed it, as I had no idea a farce was got up for them. Many of them went on their knees, and one man said the parson is here to teach us about Jesus Christ, and not to talk about work; take him up in your arms, and take him away. They lifted me up and carried me about eight or ten yards, when I commanded them to put me down, and they did so. The word command may be too absolute, but I do not consider I entreated. I said put me down, and they did so; I do not think I gave them any reason for wishing it. I might have said that Mrs. Duke was ill and might be alarmed, but I do not remember it. I was quite the reverse of collected; I could not be so, when I heard my flock was going to be fired on. I consider their conduct to me proceeded from affection. At La Belle Alliance, after my conversation with the negroes, they moved off towards the field. Mr. Bean told me he had, with Captain Coleman, tried to quiet them; he had sent for the troops, and he ordered them to their work; they said, we will go to work to oblige the parson. Two men came to me and said, we were going to our work, but the manager has ordered us to be locked up. Mr. Bean called out for the manager. I said to the people, come, my friends, I will lead you to the field myself, and I marched forward. I suppose about 20 or 30 moved off towards the field. I saw the manager go to two negro people, and putting his face close to theirs, and said, I order you to your work, contrasting it with their words of going to work to oblige the parson. The two were among the Belle Alliance people. The manager's name is Bailey; he was ostensibly manager. This was in the middle of the day, nearly 12.

I do

I do not know if they had worked that day; they did not say they had done their work; they gave me to understand they had come to learn from the manager what they were to have for their work, and that they thought the manager might well have spent that day in making arrangements with them. On the manager giving that order, there was a fresh excitement, and they said, "we won't be bound." I should say the man Fothergill, the prisoner, had great influence, and Joe, and Will and little Peter. It was before the peremptory order of the manager that Joe and Will told me that the manager had ordered them to be locked up. I could have led them to work, but how they would have worked I cannot say. I do not know how the scuffle arose which I saw on La Belle Alliance. I was alarmed at the time I went there, not much; I saw things growing up, and I did not see how it would end. I was not so agitated as not to have my cool and collected senses about me. I went to Hampton Court, at the request of the high sheriff, Thursday the 7th; it is in Trinity parish. I found the people there not at work, but in their houses. On Wednesday the 30th July, I told my congregation from the desk that I understood they meant to make a rout or noise on the 1st of August; that if they meant it, it was wicked, and if they put it into effect, they would have soldiers among them with bayonets and bullets. I related this to John Austin, a special magistrate, a few days before I said so; he considered it very advisable. I do not remember I ever used those words; but I said at Hampton Court to the high sheriff, "that nothing but the bullet and the bayonet would now do."

On the 1st August my text was 8th chapter of St. John, 86th verse: "If the Son, therefore, shall make you free, you shall be free indeed." On 3d August, 5th Matthew, 9th verse: "Blessed are the peace-makers," &c. I referred the employers and proprietors to the 12th chapter, 1st Kings. Some few of the apprenticed labourers can thumb out a chapter; it does not deserve the name of reading really.

John Hart.]—I am clerk and catechist in Trinity parish. I know Plantation Belle Alliance.

William Jones.]—I belong to Belle Alliance. The people on Belle Alliance had hogs on the 1st of August. After the people would not go to work on Saturday after six o'clock, the manager locked them up. Mr. Bean came over on Saturday at 12 o'clock, and brought constables from Regina. Mr. Bean spoke to the people. I saw some dead pigs on Sunday at the people's doors; saw the people cleaning them; saw none dead in the sty; cannot say how many; perhaps might see two or three dead. I did not see 20 dead pigs.

Cross-examined.]—The hogs always run about the whole building loose; they belong to all the negroes.

By the Court.]—The hogs always run about the cane pieces then, and the manager obliged to send to kill them.

Arrindell (in reply).—Nat proves incitement by Damon. I summed up at considerable length. I stated that in my opinion all the Dutch authorities on the Lex Julia de Vi Publica, and that law itself, left the punishment to the discretion of the court, if the parties should be found guilty of the crime alleged. Mr. Justice Firebrace concurred in this opinion. Mr. Justice Willis doubted, and should give no opinion on the law, but placed on the minutes some remarks as to the sentences he should recommend.

Sentences by the Court.—(Dissentient Mr. Justice Willis, in each.)

Damon, death.—Frederick, transportation for life.—Fothergill, transportation for 14 years.—Adonis and Chance, 200 lashes each, and one month's imprisonment.—Billy and Peter, 100 lashes each, and one month's imprisonment.

(A true extract.)

Charles Wilday, Registrar.

Enclosure 4, in No. 4.

Eleventh Criminal Session.

Demerara and Essequibo, to wit. } In the Honourable the Supreme Court of Criminal Justice in and for the District of Demerara and Essequibo, in the Colony of British Guiana. William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, Ratione Officii, *versus* William, an apprenticed labourer, in the employ of Theobald Fetherston.

His Majesty's attorney-general in and for the Colony of British Guiana, ratione officii, giveth the court here to understand and be informed, that before and at the time of the committing of the offence and crimes hereinafter mentioned by William, an apprenticed labourer, in the employ of Theobald Fetherston, late of the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district, divers

apprenticed labourers, of and belonging and attached to plantations situate, lying and being in the parish aforesaid, but the names of which apprenticed labourers are to the attorney-general as yet unknown, had improperly and illegally refused to work for and in the service of their employers without being paid hire and wages for the work and labour to be by them done and performed, and had moreover illegally declared and asserted and insisted that they were free, thereby meaning that they were liberated and exempted from being restrained and compelled by law to the performance of the work and labour which by the law they, as such apprenticed labourers, were bound to do and perform. That the said William, well knowing the premises, but being a person of a depraved, impious and disquiet mind, and of a seditious disposition and contriving, and maliciously, turbulently and seditiously intending to disturb the peace and common tranquillity of our Lord the King and of this Colony, and to excite the aforesaid apprenticed labourers, subjects of our said Lord the King, to sedition against His Government in this Colony, did, on the 10th day of August, in the fifth year of the reign of our Sovereign Lord William the Fourth, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of the said apprenticed labourers, liege subjects of our said Lord the King, unlawfully, wickedly, maliciously and seditiously speak, utter, and with a loud voice publish and declare, amongst other things, of and concerning the illegal refusal of the said apprenticed labourers to work and labour as aforesaid, and of and concerning the illegal declaration and assertion of the said apprenticed labourers that they were free, as in the introductory part of this indictment set forth, mentioned and explained, and of and concerning the laws of this Colony in such case made and provided, these false, scandalous and seditious words following; that is to say, What is your right, you have a right to take, (thereby meaning that the said apprenticed labourers had a right to refuse to work and labour for and in the service of their employers, and were authorized by law, and that it was lawful for them to persist in such refusal, and to support such refusal by force of arms). This book (meaning thereby the Holy Bible, upon which he the said William then and there placed his hand) tells you (meaning the said apprenticed labourers, subjects of our said Lord the King), and God tells you, that if anything belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said apprenticed labourers were permitted and enjoined by the laws of God, and were bound to oppose the Government, and resist the laws of this Colony by force of arms), to the great scandal and contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such wicked and evil-disposed person as aforesaid, and further wickedly, maliciously and seditiously devising and intending as aforesaid, did afterwards, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of divers other liege and faithful subjects of our said Lord the King then and there present, maliciously, seditiously and wickedly utter, and with a loud voice pronounce, speak and publish, amongst other things, of and concerning the illegal refusal of the apprenticed labourers to work and labour for and in the service of their employers, as in the introductory part of the first count of this indictment is set forth and stated, and of and concerning the illegal declaration and assertion of the apprenticed labourers that they were free, as also set forth and explained in the introductory part of the first count of this indictment, these other false, scandalous, malicious and seditious words following; that is to say, What is your right, you have a right to take (thereby meaning that there was no necessity to have recourse to the law of the land to ascertain and support any rights, but that each and every individual was justified in the illegal use of brute force and violence to obtain and keep what might appear to him and them to be right). This book (thereby meaning the Holy Bible, on which he the said William then and there placed his hand) tells you (meaning the said last-mentioned liege subjects), and God tells you (meaning the said last-mentioned subjects), that if anything belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said last-mentioned apprenticed labourers, liege subjects of our said Lord the King, were of right exempted from working and labouring for and in the service of their employers, could not be compelled by law so to work and labour, were right in their refusal so to work and labour, and were justified and acting legally, and in accordance with the laws of God, to support and insist upon such refusal by force of arms), to the great scandal of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such wicked and evil-disposed person as aforesaid, and further wickedly, maliciously and seditiously devising and intending as aforesaid, did afterwards, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, in the presence and hearing of divers other liege and faithful subjects of our said Lord the King then and there present, maliciously, seditiously and wickedly utter, and with a loud voice pronounce, speak and publish, amongst other things, these other false, scandalous, malicious and seditious words following; that is to say, What is your right, you have a right to take (thereby meaning that there was no necessity to have recourse to the law of the land to ascertain and support any right, but that each and every individual was justified in the illegal use of brute force and violence to obtain and keep what might appear to him and them to be right). This book (thereby meaning the Holy Bible, on which he the said William

William then and there placed his hand) tells you (meaning the said last-mentioned liege subjects of our said Lord the King), and God tells you (meaning the said last-mentioned subjects), that if any thing belongs to you, and you do not get it by good words, you must take it by force (thereby meaning that the said last-mentioned apprenticed labourers, liege subjects of our said Lord the King, would be justified, and acting legally and in accordance with the laws of God, to raise open war and rebellion in this Colony, and to oppose by force of arms the just and due administration of the laws of said Colony), to the great scandal of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being a person of an evil, seditious and turbulent disposition, and maliciously intending and endeavouring to disturb the tranquillity, good order and government of this Colony, and to endanger the persons and property of a great number of His Majesty's quiet and peaceable subjects, did, on the first day of August, in the year aforesaid, and on divers other days and times between that day and the 12th day of the said month of August in that year, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously intend, devise and endeavour, as much as in him lay, to raise and create insurrections, riots and tumults within this Colony, for the disturbance of His Majesty's peace, and to the great terror and annoyance of his liege and peaceable subjects. And that the said William, in prosecution of his said wicked intention and purpose, and for the effecting and accomplishing thereof, did on the said 1st day of August, in year aforesaid, and on the said other days and times, at the parish aforesaid, and in the district aforesaid, and within the jurisdiction aforesaid, with force and arms unlawfully, wickedly and maliciously incite, encourage, and as much as in him lay, endeavour and labour to persuade, instigate and prevail on William Jones and Benny, apprenticed labourers, attached to plantation La Belle Alliance, in the parish aforesaid, and John, Dicky, Leander, Sammy and Charles, apprenticed labourers, attached to plantation Land of Plenty, in the parish aforesaid, on July, an apprenticed labourer of Plantation Henrietta, in the parish aforesaid, and on divers other liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, inhabiting in the said parish of the Trinity, in the district aforesaid, and within the jurisdiction aforesaid, and in the neighbourhood of the same, with force and arms unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to injure and annoy a great number of the peaceable subjects of our said Lord the King in their persons and properties; and that by means and in pursuance of the said wicked instigations and endeavours of the said William, a great number of persons, to the number of 200 and more, to the attorney-general aforesaid as yet unknown, afterwards, to wit, on the 9th day of the said month of August, in the year aforesaid, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, routously and tumultuously assembled and gathered together to disturb the peace of our said Lord the King, and being so assembled and gathered together, did then and there unlawfully, riotously, routously and tumultuously continue together in a riotous and tumultuous manner for a long time, that is to say, for the space of three days the next following, and during all that time committed many great, violent and enormous outrages, in breach of the peace of our said Lord the King, to the very great terror, disturbance and grievance, not only of many of his said Majesty's quiet and peaceable subjects then inhabiting and residing there, but also of all other of his said Majesty's quiet and peaceable subjects then and there passing and repassing in and about their lawful affairs and business, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general aforesaid giveth the court here further to understand and be informed, that the said William, being such person as aforesaid, and unlawfully, maliciously and wickedly devising, intending and endeavouring again to disturb the peace of our said Lord the King, and to cause other insurrections, riots, and tumults within this Colony, to the great terror, annoyance and disturbance of His Majesty's liege and peaceable subjects, did afterwards, to wit, on the 10th day of the said month of August, in the year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, wickedly and maliciously incite, stir up, and as much as in him lay, endeavour and labour to persuade a great number of other liege subjects of our said Lord the King, whose names to the attorney-general aforesaid are as yet unknown, with force and arms, unlawfully, riotously and tumultuously to assemble and gather together to disturb the peace of our said Lord the King, and to terrify, annoy, disturb and injure many other of His said Majesty's liege, peaceable and quiet subjects, in contempt of our said Lord the King, in open violation of the laws, good order and government of this Colony, to the evil and pernicious example of all others in the like case offending, and against the peace of our Lord the King, his crown and dignity.

(signed) *William Arrindell*, Attorney-general, R. O.

The prisoner William pleaded not guilty.

The Court unanimously finds the prisoner guilty on the two last counts of the indictment.

His Honour the Chief Justice; His Honour J. W. Willis, First Puisne Judge; His Honour S. Firebrace, Second Puisne Judge; Mr. J. E. Le Jolle, Assessor; Mr. W. L. Savory, ditto; Mr. R. Buchan, ditto.

The court is unanimous on the sentence.

The court condemns the prisoner William to be transported beyond seas to His Majesty's Colony of New South Wales, there to remain and be kept to hard labour for a period of 14 years.

Thus done at the 11th session of the Honourable the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, George Town, Demerara, this 30th day of September 1834.

(signed) *Charles Wray*, C.J.
John Walpole Willis, J.
Samuel Firebrace, J.
J. E. Le Jolle.
W. L. Savory.
R. Buchan.

By the Court,
(signed) *Thomas C. Bagot*, Secretary.

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30 September 1834.

William, 14 years' transportation. I cordially concur with the court in this sentence. I consider that the prisoner has in great measure been the cause of that misery which has been inflicted on the wretched people who have been before the court; it is just therefore that he should participate in the punishment. A crime of this nature was not contemplated by His Majesty's Government in the regulation for apprenticed labourers.

(signed) *J. Walpole Willis*,
First Puisne Judge of British Guiana.

A true copy, quod attestor,
Charles Wilday, Registrar.

Eleventh Criminal Session.

Extract from the CRIMINAL NOTE BOOK of his Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, the 30th September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, Ratione Officii, *versus* William.

Attorney-general:—Sedition. 127. Art. of Emp. Cha. V, referred to in Van der Lind, page 319: punishment, either hanging or transportation, or flogging.

Matthæus de Criminibus Lex Majestate: the same.

Francis Greenwich Bailey.]—I am manager of Belle Alliance, where I reside. I remember the Ordinance for the government of apprenticed labourers being published before the 1st of August, to take effect on that day. It was explained to the apprenticed labourers in the parish, Richmond, Belle Alliance and Henrietta, all in the Trinity and adjoining. I was present when it was explained, about the 28th or 29th July, for the first time, by Captain Coleman, Mr. Bean and myself. Mr. Bean is a magistrate; Captain Coleman a special and general magistrate, and senior justice of the peace. Were several hours in explaining to them. I understand the negro character well, and I am perfectly certain they understood me. They seemed to be very doubtful as to its being fact; and some of Mr. Bean's people frankly said they did not consider it fact or true; they said they did not consider that was law. It was explained again on Friday the 1st August. The same dissatisfaction and disbelief was then shown; they said they considered they were free; they said they did not believe that part about their apprenticeship. On the 2d I explained the law myself to our own people, and I am certain all were present. After this, on Friday the 8th, they refused to work, saying they were free; that the parson had told them in the church they were as free as the sun, and that the Governor's Proclamation had told them that they were as free as any white man after the 1st of August. The disturbance began on the 8th, and continued until the Monday following. On Saturday the 9th, Sunday the 10th, and Monday the 11th, I saw assemblage of people in the churchyard. I was amongst them three times, and passed by them repeatedly; they had flags and flag-staffs displayed. Mr. Bean, a magistrate, addressed them twice, and ordered them to disperse in the King's name; they said they were free, and would not work without hire. I know the prisoner; did not see him there.

Thomas Coleman.]—I am senior special magistrate in Trinity parish, and a general magistrate and justice of the peace for this Colony. I, in my official capacity, explained to the apprenticed labourers in my district the Ordinance relating to apprenticed labourers for the first time on the 28th July last. I summoned apprenticed labourers at each of the estates to meet me at one estate, and I desired the managers to select the most intelligent man from each. I have reason to believe that such came in the proportion of about two per cent. of the population. I explained the Ordinance to them, and referred to the Act of Parliament to prove to them it was the King's law, which some of them seemed to doubt. I directed them to go to their several estates, and to promulgate those laws and those explanations

nations to all their fellow-labourers. I explained the law particularly to the people on Richmond on the 1st of August; again to Richmond and Belle Alliance on the 2d of August, and again on the 4th of August; also to the people at Lima on the 3d of August. I believe I was two hours in trying to convince them it was the law of the King, and not made here; because some had expressed to me they suspected it was made in this country, and not a law sent out from England. I explained it at Coffee Grove the 5th of August, on Hampton Court on the 5th or 6th. These estates are all within my district, and in the parish of Trinity. At first they only seemed to doubt the truth of what I said, but were very orderly for the first two or three days; but on my going to Lima they were very boisterous, (that was on the 3d), and would hardly listen to me; and on the 5th and 6th, at Coffee Grove and Hampton Court, they were exceedingly violent, and declared that it was not the law, and if it was the law they would not have it. At Coffee Grove, in particular, some of the most intelligent men came forward and declared they were free, and would not work unless they were paid; that the parson had told them they were free, and that the Governor told them long long ago (to use their expression,) that they would be free on the 1st of August as any white men. He could not go back from his word. The Coffee Grove people said at first they would not work at all but for wages; but on my explaining to them the liberal provision that had been made for them by the same law, they said they would work two hours in the day to pay their master for their houses and provisions; that they thought was ample. I was ill on the 9th, 10th and 11th of August.

John Halloway Duke.—I am rector of Trinity parish in this Colony. Part of the Ordinance was explained on the 2d of August by Mr. Austin, Thomas M'Coy, both special magistrates. I myself told them they were to be apprenticed labourers for six years, and to work for seven and a half hours a day for that time; but I did not read the law. I told various apprenticed labourers this at various times. I told them the same thing in church. I told some labourers from the Belle Alliance on the 7th August at my house. I think they then said it was Mr. Bean's law, and not the King's law; but won't be very positive. 1st of August 1834, I explained that law in my sermon. I explained to them at Hampton Court. There was a great deal said by the people, and the impression on my mind was they did not believe me. I told them I had heard they had said I had given a different version, and they denied it. They said the King had freed them. I have spoke only of apprenticed labourers of Trinity parish.

Cross-examined.]—I cannot say I remember making any remark to them touching a sum of money paid by the people of England for them. They pointed out no passage that made them free, that I can remember. I remember one man at Hampton Court saying that the first words he understood in my sermon was, that he was free—he was free indeed. I think that impression might have been made from some words I used from the pulpit; the words were in the text; but I believe I quoted the text in the sermon. The text was, "If the Son therefore make you free, you shall be free indeed." The sermon is published. I have it not about me.

July.—I am an apprenticed labourer of Henrietta, next to the Richmond. I am sick-nurse. I go to church. I know the prisoner. I was at the Trinity church on Sunday the 10th of August; I saw the prisoner there. I heard him say, (he was speaking a great deal, and had a book by him,) he said, "God say by what is in this book, if you don't get it by good means you must take it by force." I asked him if he was a freeman, he told me yes. I asked him who give him free; he told me his mother bought him and gave him free. I asked him where was his mother; he said his mother was in town, and got house and land; and he went away from me. He was a distance from me. It was a Bible he held in hand.

Cross-examined.]—I saw it was a Bible; prayer-books and psalm-books were there; they are smaller. I know the book itself.

Jubba.—I belong to Belle Alliance. I know the prisoners. I saw William the same Friday our people were setting down in the house. I laid down my work, and was on the dam. William came up, and I asked where he came from; he said from town. I asked him what he had, and he said soldiers were then at Hampton Court; they were coming along to every place, and as they got on each bridge they were to fire the gun and beat the drum, and cry out, "Hurrah! now you are bound." He was passing; he kept talk as he passed; he was on foot.

Charles.—I am an apprenticed labourer, plantation Land of Plenty. I know the prisoner; I saw him at a blacksmith's shop about a fortnight before he was taken up. He told me he was his own man now, and those who sought for it might get it—freedom.

William Jones.—I am apprenticed labourer of the Belle Alliance. I am a constable. I remember the 9th, 10th and 11th August. I know prisoner; his name William. I saw him on Friday before the 9th. I heard him say a man called Benny, was the prisoner said "what, Benny, people can't believe what Mr. Bean tell them; said it is not the law," (the negroes stopping at home on Friday). He said, "you say Mr. Bean people working to-day, and to-morrow not going to work, unless the people know what they are to work for; that people in town were as free as the sun." I said to Benny, what kind of man is this man? the prisoner heard me; the prisoner said this is not a place for a freeman to stop in. I say Mr. Bean and the parson had explained the law, and there could be no better person to do it than they. He was then going into the negro yard, and I did not wish him to go there

there to tell the people anything. He said the people who worked were bloody fools, because the people in town were as free as the sun; he said the King had made them free. I heard this at the blacksmith's shop on plantation La Belle Alliance. He said to-morrow and Saturday Richmond people not going to work; Richmond people not work on Saturday. I met him again on the bridge in the middle of the people, the bridge between Richmond and La Belle Alliance; this was on Saturday the 9th. He was sitting on the bridge; plenty of people with him. He was speaking to the people, but I did not hear.

Cross-examined.]—I did not know William before this. I don't know where he came from. He told me on Friday the people would not work on Saturday.

Benney.—I am apprenticed labourer on Belle Alliance, and a constable. I know prisoner. I remember the disturbance on the 9th, 10th and 11th August. I saw William the Friday before the 9th at Belle Alliance blacksmith shop. William Jones was there when the prisoner said Mr. Bean people are working Friday; they would not work Saturday; they would not work for what their master was going to give them. William Jones tell him that was not a place for a freeman to stop. Prisoner was then going into the negro yard. William Jones told him he must watch him. Prisoner said all the people in town was as free as the sun; King give them free; said people was damned fool to work; all the people on the coast I understood. I was sent to arrest William; I found him at Richmond; I took hold of him. A man named Adam told me I must loose him. He said prisoner had been on that estate for a week. I told Adam I had orders to take him up. He would not hear what I say, and loosed the man; this was the same day he had been talking to me at the Belle Alliance.

Leander Austin.—I was at the churchyard on Sunday the 10th of August. I know the prisoner perfectly well, and had orders to take him up. I did, with Dicky, John and Sammy, apprenticed labourers attached to Land of Plenty. I can read and sign my name. After taking him up, we tried to carry him away; but after we got him out of the gate the people came and rescued him. After he got away, he said, you Land of Plenty negroes, you damned rascals, the Governor has made every person in town free, and white people here wish to cheat them out of their freedom, and you join them. At that time there was 800 or 900 people assembled, perhaps more.

Cross-examined.]—I saw July, of Henrietta, in church; I saw July there before service commenced. I left the church immediately after service. Prisoner was called out by a man with me, Dicky. I went out before the prisoner; he was called out directly after.

John.—I am apprenticed labourer of Land of Plenty, and am a constable. I remember the disturbances. I know prisoner; he has been employed by Mr. Goring and Mr. Fetherston. I saw him at church on the 10th of August. I had orders to take him up. I took him to the church gate. I heard a woman say, what, you all going to stand still and let them carry away that man, who has come here to tell us the truth. A great many people came and rescued him. After that he ran a few yards, and said, you Land of Plenty people, you are damned rascals; that the Governor had made all the people free, and you join the white people here to make them fools.

Cross-examined.]—I know July; cannot say I saw him that day. I saw him in church, and having my orders I took him after church in the churchyard, about five or six minutes after service. The three constables came out of the church before I did. The prisoner went out of the church before I did, and I followed. I did not hear the prisoner make use of particular language after service was over, nor do anything.

(I summed up.)

(A true extract.)
Charles Wilday, Registrar.

Enclosure 5, in No. 4.

Eleventh Criminal Session.

Demerara and Essequibo, to wit. } In the Honourable the Supreme Court of Criminal Justice in and for the District of Demerara and Essequibo, in the Colony of British Guiana. William Arrindell, His Majesty's Attorney-general, in and for the Colony of British Guiana, Ratione Officii, *versus* Bob, Sandy, Homer, Cæsar, Laurence, and Sam, Apprenticed Labourers.

William Arrindell, His Majesty's attorney-general in and for the Colony of British Guiana, ratione officii, giveth the court here to understand and be informed, that Bob, an apprenticed labourer, of and attached to plantation Lima, in the parish of the Trinity, in the district of Demerara and Essequibo, in the Colony of British Guiana, and within the jurisdiction of the Honourable the Supreme Court of Criminal Justice of said district; Sandy and Homer, apprenticed labourers, of and attached to plantation Exmouth, in the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; and Cæsar, Laurence and Sam, apprenticed labourers, of and attached to plantation Richmond, in the

parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid; together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general unknown, did on the ninth day of August in the year of our Lord 1834, and in the fifth year of the reign of our Sovereign Lord William the Fourth, with force and arms, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously, and tumultuously assemble together, to the disturbance of the public peace. And the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons to the attorney-general aforesaid unknown, being so unlawfully, riotously and tumultuously assembled together, to the disturbance of the public peace as aforesaid, afterwards and whilst they were so assembled as aforesaid, to wit, on the day and year aforesaid, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, one Charles Bean, esq. (then being one of the justices of our said Lord the King, assigned to keep the peace of our said Lord the King in and for the district aforesaid, in the Colony aforesaid), as near to them the said Bob, Sandy, Homer, Cæsar, Laurence, and Sam, and the said other persons to the attorney-general aforesaid unknown, so unlawfully, riotously and tumultuously assembled as aforesaid, as he the said Charles Bean could then and there safely come, did then and there command and cause to be commanded silence; and that the said Charles Bean after that did then and there, as near to them the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons so assembled as aforesaid, as he the said Charles Bean could then and there safely come, with a loud voice, in the King's name, (thereby meaning in the name of our said sovereign Lord William the Fourth) require and command the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons to the attorney-general aforesaid unknown, immediately to disperse themselves, and peaceably to depart to their respective estates, or to their lawful business, upon pain as the law directed. And the attorney-general aforesaid giveth the court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, and the said other persons, to the number of 300 and more, to the Attorney-general aforesaid unknown, being so required and commanded by the said Charles Bean, the justice aforesaid, to disperse themselves and peaceably to depart to their respective estates, or to their lawful business, did then and there, to the number of 300 and more, with force and arms, notwithstanding the said requisition and command so made as aforesaid, feloniously, unlawfully, riotously and tumultuously remain and continue together by the space of three days after such requisition and command so made by the said Charles Bean, as and being such justice of the peace as aforesaid, in contempt of our said Lord the King and his laws, to the great disturbance and terror of the quiet and peaceable subjects of our said Lord the King, to the evil example of all others in the like case offending, and against the peace of our said sovereign Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid, giveth the court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, together with divers other evil-disposed persons, to the number of 300 and more, to the attorney-general aforesaid unknown, on the said ninth day of August, in the year aforesaid, with force and arms, to wit, with flags and colours erected, hoisted and flying, and with sticks, staves and other offensive weapons, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously, did assemble and gather together to disturb the peace of our said Lord the King; and being so assembled and gathered together armed, and with flags and colours erected, hoisted and flying, as last aforesaid, did then and there unlawfully, riotously and routously make a great noise, riot and disturbance, and did then and there remain and continue with flags and colours erected, hoisted and flying, and armed, as last aforesaid, making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror, not only of the liege subjects of our said Lord the King there being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our said Lord the King, his crown and dignity. And His Majesty's attorney-general in and for the Colony aforesaid giveth the Court here further to understand and be informed, that the said Bob, Sandy, Homer, Cæsar, Laurence and Sam, together with divers other evil-disposed persons, to the number of 300 and more, to the Attorney-general aforesaid unknown, did on the said 9th day of August, in the year aforesaid, with force and arms, to wit, at the parish aforesaid, in the district aforesaid, and within the jurisdiction aforesaid, unlawfully, riotously and routously assemble and gather together to disturb the peace of our said Lord the King, and being so assembled and gathered together, did then and there unlawfully, riotously and routously make a great noise and disturbance, and then and there remain and continue making such noise, riot and disturbance for the space of two days and more then next following, to the great disturbance and terror, not only of the liege subjects of our said Lord the King there being and residing, but of all other the liege subjects of our said Lord the King then passing and repassing in and along the King's common highway there, in contempt of our said Lord the King and his laws, to the evil example of all others in the like case offending, and against the peace of our Lord the King, his crown and dignity.

(signed) *William Arrindell*, Attorney-general, R. O.

Bob pleaded not guilty.
Sandy pleaded not guilty.
Homer pleaded not guilty.
Cæsar pleaded not guilty.
Laurence pleaded not guilty.
Sam pleaded not guilty.

The court unanimously finds all the prisoners guilty, with the exception of the words "sticks and staves" in the third count of the indictment.

His Honour Charles Wray, Chief Justice; His Honour John Walpole Willis, First Puisne Judge; His Honour Samuel Firebrace, Second Puisne Judge; Mr. George Booker, Assessor; Mr. Charles Grant, Assessor; Mr. W. L. Savory, Assessor.

Bob - -	His Honour the Chief Justice - -	Transportation for 14 years.
	His Honour the First Puisne Judge -	Six months' imprisonment and hard labour.
	His Honour the Second Puisne Judge,	Transportation for 14 years.
	Mr. George Booker - - - - - -	ditto.
	Mr. Charles Grant - - - - - -	ditto.
	Mr. W. L. Savory - - - - - -	ditto.
Sandy, Homer, Cæsar, Laurence and Sam.	His Honour the Chief Justice - -	50 lashes and one month imprisonment.
	His Honour the First Puisne Judge -	Three months' imprisonment and hard labour.
	His Honour the Second Puisne Judge	50 lashes and one month imprisonment.
	Mr. George Booker - - - - - -	ditto.
	Mr. Charles Grant - - - - - -	ditto.
	Mr. W. L. Savory - - - - - -	ditto.

SENTENCE.

The court condemns the prisoner Bob to be transported beyond the seas, to His Majesty's Colony of New South Wales, there to remain and be kept to hard labour for the term of 14 years.

The court condemns the prisoners Sandy, Homer, Cæsar, Laurence and Sam, to be imprisoned in His Majesty's gaol of this district, for the space of one calendar month, and during the period of such imprisonment to be publicly flogged in the market-place of George Town, by receiving each 50 lashes with a cat-o'-nine-tails on his bare back.

Thus done at the 11th session of the Supreme Court of Criminal Justice, held at the Court House, Guiana Public Buildings, this 30th day of September 1834.

(signed) *Charles Wray*, C. J.
John Walpole Willis, J.
Samuel Firebrace, J.
George Booker.
C. Grant.
W. L. Savory.

By the Court,
(signed) *Thomas C. Bagot*, Secretary.

A true copy, quod attestor,
Charles Wilday, Registrar.

Enclosure 6, in No. 4.

ELEVENTH CRIMINAL SESSION.

EXTRACT from the CRIMINAL NOTE BOOK of his Honour the Chief Justice of the Supreme Court of Demerara and Essequibo.

Tuesday, 30 September 1834.

(After Prayers.)

William Arrindell, His Majesty's Attorney-general in and for the Colony of British Guiana, Ratione Officii, *versus* Bob, Sandy, Homer, Cæsar, Laurence and Sam, Apprenticed Labourers.

September 30th, 1834.—Bob, Sandy, Homer, Cæsar, Laurence and Sam, Apprenticed Labourers.

The prisoners severally pleaded not guilty.

Charles Bean, esq. (sworn.)—Is a planter, residing on plantation Richmond, Trinity parish, Essequibo. Is a magistrate or justice of the peace. Remembers the riot in August last of apprenticed labourers. Riots in the churchyard began on the 9th and ended on the 11th. Went to the churchyard where the rioters were assembled; ordered and required them to leave the churchyard on the morning, and again on the evening of the 10th of August; they had flags and a flag-staff; the flags were flying on Sunday evening, the whole

whole of Monday, and believes on Saturday night. Identifies three as belonging to Richmond; believes Bob also, as belonging to Lima; Cæsar, Sandy and Laurence, the three prisoners belong to Richmond. Bob of Lima was extremely violent both in language and gesture. When I went to the churchyard on the morning of Sunday to require the rioters to disperse, I particularly observed the man who I believe to be Bob of Lima, holding up his hand to me in a menacing manner, and threatening me, saying that I had made the law to injure them, "to cut them," I think the expression was, and he was with difficulty kept quiet by the man Frederick, of Devonshire Castle; he continued noisy the whole time that I remained there. I returned again in the evening, about six o'clock, when I observed the same man conducting himself in a similar manner, and I accordingly ordered two of my constables to apprehend him; they did so, but he was rescued from them by the other rioters in the churchyard. Believes the constables were Munro and Tanner. I am sure that the man I saw in the evening and ordered the constables to arrest was the same man I saw in the morning. When they told me who he (Bob) was, I applied to Mr. Rose, of plantation Lima, to have the man Bob apprehended; he ordered it accordingly to be done; the manager said there were three Bobs, but one of them was absent; the other two were sent for and produced to me, neither of whom proved to be the prisoner; two days after I saw the prisoner at the bar at plantation Coffee Grove; I had him apprehended in the presence of the Governor, who sent him on to town. I saw the other three prisoners who I have identified, among the mob, between the 9th and 11th of August, I merely saw them among the mob; I spoke to the man Cæsar; I do not recollect seeing them in the morning; I saw them on the evening of Sunday; I saw them when I first went into the churchyard; at the beginning of the scuffle I said to Cæsar, "that after what had passed, I was sorry to see him there." He did not leave when I spoke to him. In my capacity, and in the King's name, I ordered he assembled multitude to disperse on Sunday evening; I will not swear to the man Laurence at that time. I saw the other three I have named, that is, Bob, Cæsar and Sam, there; do not recollect seeing Laurence at all there. The whole of the people were very noisy and tumultuous; there were about 50 at first, they increased to about 1,000.

Tanner (sworn.)—Apprenticed labourer of Richmond. Mr. Bean is my master; remembers being at the church with him when the people were assembled at the church; know Cæsar, Sam and Lawrence, belonging to Richmond. I know that (Bob) was there, although I do not know his name; at first Sunday evening, between four and five, his master himself called him to go to church, to make the people go out of the churchyard. I am a constable; I went. I told them to go out of the churchyard, they said "No, they would not go;" and then my master called me and the other constables to see and take down the flag; they tried all they could do, and they could not get down the flag, there were so many hands prevented us; there were five of us only. I cannot tell the number of people against us, there was a number; we tried all we could do, and could not do better, and Mr. Bean, my master, told us to stop, and we waited till six o'clock. My master spoke to a boy, I do not know to what estate the boy belonged, I believe his name is Bob; and he called all the (five) constables to come and take Bob; we all five took hold of him, and then so much, so many people, upon them, that they took him away; he (the boy) did not go away after that, he stopped there.—(*Identifies the prisoner Bob as the person.*)

Cross-examined.]—Never saw Bob before that time; never seen him since.

Adam (sworn.)—Remembers being in the churchyard, in Trinity churchyard, when the flags were flying and there was a riot on Sunday evening, with his master, Mr. Bean. I am a constable; my master ordered me to tell the people to come out of the churchyard, I told them; my master told me to take down the flag; we tried to take it down and could not, so much of people there; I was opposed by all the people that were there. I saw Cæsar there; saw Laurence, he was outside the churchyard; saw Bob there, never saw before he was in the churchyard; he was impudent to my master when he told him to come out of the churchyard. He said "he shan't come out;" my master ordered the constables to take him up; we tried to do so, we laid hold of him, but there so much people we could not; the people got him away from us constables.

Cross-examined.]—Saw Cæsar helping the other people to prevent the constables getting away the flag; saw him standing there.

Hamlet (sworn.)—I am a constable; remembers the disturbances; went once to the churchyard at 10 o'clock in the morning. First guard allowed me to get in, and when I got in, some of the first guard come and take me up, and some come from the flag-staff, and then they hoist me up and bring me back again, and leave me on the King's road; hoisted me high; Bob was there, he was one who took me up; I am sure of it. I know all the prisoners but Sandy and Homer; all those I know were there, though only Bob assisted in carrying me out.

Wm. Hale (sworn.)—Manager of plantation Exmouth. Remembers the disturbances; knows the prisoners Homer and Sandy. On Monday the 11th, about two o'clock, I was passing by the churchyard, I saw a mob and Sandy amongst them; he had not been to work since the 2d of August; he had not leave from me to be absent. Saw the flag-staff erected; did not see any colours flying.

F. G. Baillie (sworn.)—Manager of La Belle Alliance. Remembers the disturbances; knows the whole of the prisoners by sight; saw every one of them in the churchyard; saw Bob, Laurence, Sam and Cæsar there a variety of times, the other two I do not recollect to have

have seen more than twice at the churchyard. I saw the four first I have mentioned on Sunday morning, several times on Sunday and Sunday evening, and also on Monday, Sunday the 10th and Monday the 11th of August; saw the other two there on Sunday evening and on Monday. The man Bob particularly drew my attention on Sunday morning; Bob was the foremost hooting and yelling when Mr. Bean could not succeed. When Mr. Bean turned his back the people ran after him, and I turned round conceiving Mr. Bean might be in danger, and then I saw Bob the most forward; I again saw Bob on Sunday evening, one of the most active among the rabble. I can merely swear that I saw the remainder there; Bob was one of the most violent that I saw in the whole multitude.

Cross-examined.]—Knows Sam quite well; has known him for the last six or seven years; at one time when I saw Sam there, about mid-day on Sunday, there were not more than 100 people; I also saw him in the afternoon. I cannot swear positively that Sam was at the place at the particular time; Bob was very prominent among the people; could not be mistaken as to Sam being there; recollects particularly seeing Sam and Laurence there together, rather before the church service. It is usual for the negroes to be there a short time before the service begins.

For the Defence—

Mr. *Harvey* urges the testimony of the last witness as being favourable to Sam.

I summed up.

In this and another case I read the following publicly:

The Judges are all of opinion that the magistrate could legally on this occasion have used the power of the troops to disperse the mob. He had given repeated orders to disperse, which were disobeyed and treated with insult and contempt; and he would have been justified in using the power of the troops, to such an extent as circumstances might ultimately render necessary, to compel obedience, and quell so numerous, violent and dangerous an assemblage.

A true extract.
(signed) *Charles Wilday*, Registrar.

— No. 5. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Lieut.-Governor Sir *J. C. Smyth*, dated Downing-street, 1 Jan. 1835.

No. 5.

I HAVE received your Despatches of the 12th and 18th October, reporting the proceedings of the Supreme Court of Criminal Justice, specially convened by yourself for the purpose of trying the apprenticed labourers, accused of assembling together in considerable numbers, and of riotous and seditious conduct in the Essequibo district.

In consequence of the difference of opinion subsisting between the judges who presided at these trials, respecting the liability of the apprentices to punishment under the common law, or (as it might be more accurately expressed) the Roman Dutch Law, I have thought it my duty to refer the question to the law officers of the Crown. In the absence of the Solicitor-general, I have only been able to procure the report of the Attorney-general, and by him I am informed that the judgment of the majority of the court was accurate in point of law, and that the objection raised by Mr. Justice Willis cannot be sustained. The prisoners sentenced to transportation have reached England; and the sentence will be carried into effect as soon as an opportunity offers of removing them to New South Wales or Van Diemen's Land.

From your Despatch of the 12th October, I learn, that of the 32 persons condemned to corporal punishment and imprisonment, the whole number have received His Majesty's pardon. I presume that this pardon extends to both parts of the sentence, the confinement in gaol, as well as the floggings. The reason which you have assigned for this lenity, however just in itself, would scarcely seem to sustain the practical conclusion which you deduced from it. Entirely concurring with you in deprecating severe public floggings as a mode of punishment (associated as it must be in the minds of the sufferers themselves, and of the bystanders, with recollections which cannot be too soon effaced), I must yet hesitate in adopting the opinion that the general interest of society is better consulted by a total remission of punishment in such a case as that of the rioters at Essequibo, than by permitting some at least of their number to undergo the penalty of the law. The argument, however conclusive in favour of the substitution of some other sentence, can I think hardly establish the fitness of rendering it wholly inoperative.

There is indeed one ground on which the convicts might have urged, plausibly at least, if not with perfect justice, a claim to some mitigation of the punishments to which they had been adjudged. The law respecting the duties of apprenticed labourers had very recently been explained to them by persons acting under the immediate authority of the local Government. It is not unnatural that they should so far have misunderstood the lessons thus impressed on them, as to have inferred that they were safe from any penalty more severe than

than that which the recent enactment had denounced for a concerted and riotous opposition to the law. In the result this appeared to be a fatal error; yet it was such an error as might perhaps have justified a mitigation of the rigour of the law, if the enforcement of it had not been imperiously demanded for the preservation of society from disasters of the gravest character.

— No. 6. —

Copy of a DESPATCH from Secretary Lord *Glenelg* to Lieut.-Governor Sir *James Carmichael Smyth.*

Sir, Downing-street, 11 June 1835.

No. 6.

MY attention has lately been directed to the case of the convicts named Frederick, Fothergill, and William, mentioned in the Earl of Aberdeen's Despatch of the 1st January last. The fourth convict, named Bob, died in the month of March last, at the Hulks at Woolwich, where the survivors yet remain.

It is evident from Lord Aberdeen's Despatch, and other information assures me of the fact, that his Lordship acquiesced in enforcing the sentences against these convicts with great reluctance. His explanation of his own view of the subject will best be given by the following quotation from the Despatch of the 1st January:

"There is," observes Lord Aberdeen, "one ground on which the convicts might have urged plausibly at least, if not with perfect justice, the claim to some mitigation of the punishments to which they had been adjudged. The law respecting the duties of apprenticed labourers had very recently been explained to them, by persons acting under the immediate authority of the local Government. It is not unnatural that they should so far have misunderstood the lessons thus impressed on them, as to have inferred that they were safe from any penalty more severe than that which the recent enactment had denounced for a concerted and riotous opposition to the law. In the result this appeared to be a fatal error; yet it was such an error as might perhaps have justified a mitigation of the rigour of the law, if the enforcement of it had not been imperiously demanded for the preservation of society from disasters of the gravest character."

When I recollect that one of the judges of the Colony participated in the error into which Lord Aberdeen here supposes these illiterate and ignorant men to have fallen, I cannot but feel that the apology they derive from it is of peculiar force. If the maxim that ignorance of the law is no excuse for transgression, must be accepted in its utmost rigour as a rule of conduct, yet still an exception can hardly be refused in favour of those who, from the cause adverted to by Lord Aberdeen, are peculiarly liable to a misconception which, at the first moment of so great a change, might have befallen persons of far higher pretensions to moral and intellectual culture than themselves.

While thus the motives for lenity which pressed upon the mind of my predecessor remain in undiminished force, the inducements which he reluctantly admitted for adopting the more rigorous course have lost much of their original weight. Since the 1st January last, the peace of the Colony appears from your reports to have been entirely undisturbed, and there is reason to hope that any great severity is no longer requisite for the public safety. If the utmost extent of punishment sanctioned by the new ordinance had been inflicted, the imprisonment of the convicts would have terminated in the ensuing autumn. Under all the circumstances of the case, I think that what they have already undergone, approaching closely as it does to that penalty, will suffice for every salutary object which the punishment of these men could answer.

I am the more induced to adopt this view of the subject, from the consideration that their offences, formidable as they were at the moment to the peace of the Colony, were unattended with any injury to the person or property of any one, and from learning that the conduct of the convicts during their detention at the Hulks has been remarkably docile, industrious and decorous. They are reported to be expert and diligent mechanics, and quiet and inoffensive men. I have naturally felt much solicitude to avoid (if compatibly with justice to society at large it could be avoided) the pain of consigning such persons to a residence in a convict population.

For these reasons, His Majesty, on my humble advice, has been graciously pleased to grant His free pardon to those convicts. They will be sent by the first convenient opportunity to Demerara, there to resume their employment as apprenticed labourers for the remainder of the term of their original apprenticeship; such being the condition on which, as has been explained to them, their pardon is granted.

I have, &c.

(signed) *Glenelg.*

MAURITIUS.

MAURITIUS.

—No. 127.—

No. 127.

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Major-General Sir *William Nicolay*.

Sir, Downing-street, 18 September 1834.

Order in Council 17 September 1834, printed in Appendix (B.) No. 15.

I HAVE the honour to transmit to you the enclosed Order of His Majesty in Council, "for giving effect, in the Colony of Mauritius, to the Statute 3d & 4th William IV. c. 73, for the Abolition of Slavery throughout the British Dominions."

Although Parliament has in this Act, as regards those Colonies which are subject to the legislative authority of His Majesty in Council, referred to His Majesty in Council the duty of supplying by local enactments all subordinate details necessary for completing the important measure of negro emancipation; yet this course was not suggested from any distrust of the legislative bodies existing in those settlements, but for the purpose of showing that the problem proposed, of regulating the relations of the apprenticed labourers to their employers and the State, admitted of solution, and that the condition upon the performance of which the right to participate in the compensation fund granted by Parliament was made to depend, was not impossible.

In order that in framing the proposed regulations, His Majesty's Government might be assisted by the experience of persons intimately conversant with the local circumstances of the respective Colonies to which those regulations were to be applied, I apprised you in my Circular Despatch of the 5th September last, that in the interval which would elapse between that date and the introduction of the system of apprenticeship, the drafts of the proposed Orders would be generally made known throughout the Colonies; and that His Majesty's Government would not only admit, but invite and weigh with all care, such observations as they might call forth, and such suggestions as any persons might be disposed to make for the improvement of their projected regulations. This plan of proceeding has been carried into execution with reference to the British West India Colonies, and it was originally intended to pursue the same course with respect to Mauritius. The execution of this intention, however, was deferred in consequence of the dissensions which were known to exist in that Colony, and especially amongst the legal authorities. It was subsequently considered that, as the Act of Parliament was not to come into operation at Mauritius till six months after it would become law in the West India Colonies, and that as in the interval the views and opinions of the local authorities in those various Colonies, some of which are in many respects similarly circumstanced with Mauritius, would be fully known and discussed, the materials and suggestions which could reasonably be desired with a view to framing an enactment suited to Mauritius, would be amply supplied without the necessity of making a special reference to the authorities of that Island.

Accordingly, the Order in Council which I now enclose is, with the exception of a few modifications, precisely similar to that which has been enacted for the Island of Trinidad. The two principal alterations consist in the discretion which is allowed, on the subjects of food and clothing, to the local authorities, to substitute for the articles specified such other articles of food and clothing as they shall consider to be equivalent. This course has been deemed necessary, because the Order in Council of the 2d November 1831 never having been in actual force in Mauritius, it is doubtful what may be the exact state of the law there on those subjects, and even whether there exists any law sufficiently clearly defined to give practical effect to the intention of the Act of Parliament. The articles of food and clothing provisionally specified in the present

present Order are those fixed by the Governor and Council of Trinidad, in conformity with the discretion allowed by the Order of the 2d November 1831.

I have only to add, that many of the details of this important measure are left to the decision of the Council of Government and yourself. I feel justified in adopting this course, not only from the almost insuperable difficulty of definitely settling such details without being actually on the spot, but also because I am satisfied, from the very favourable accounts which I have received, both from yourself and from other quarters, of the disposition of the inhabitants of Mauritius generally with respect to the great measure of negro emancipation, that the Council of Government and its individual members are prepared to address themselves to the consideration of those subjects with a full sense of their importance, in a spirit of justice towards the apprenticed labourers, and with a sincere desire to carry into execution the measures incidental to the abolition of slavery, in the manner most likely to ensure the general prosperity of the community of Mauritius.

I have, &c.
(signed) *T. Spring Rice.*

— No. 128. —

EXTRACT of a DESPATCH from Major-General Sir *William Nicolay* to Mr. Secretary *Spring Rice*, dated Mauritius, 8 October 1834.

No. 128.

YOU may rely on my utmost exertions to do justice to the favourable opinion you are pleased to express with regard to the course I shall pursue on the important subject of slave emancipation. As the Abolition Act will come into operation in this Colony on the 1st of February next, and no instructions having yet arrived expressive of the desire of His Majesty's Government respecting the rules and regulations referred to in the 16th clause of that Act, I purpose, on Monday next, to bring the matter before the Council of Government, in order to establish by legislative enactment such regulations as are indispensable previously to the Act coming into effect. I shall have the honour to address you upon this subject at an early opportunity.

— No. 129. —

COPY of a DESPATCH from Major-General Sir *William Nicolay* to Mr. Secretary *Spring Rice*.

Sir, Mauritius, 20 November 1834.

No. 129.

IN my Despatch of the 8th ult. I intimated that, as the time was fast approaching when the Abolition Act will come into operation in this Colony, and that no instructions whatever had been received with respect to various rules and regulations requisite to carry the provisions of that Act into full effect, it was my intention to bring this subject, in reference to the 4th and 16th clauses, before the Council of Government.

The only document that I have yet seen, expressive of the opinion of His Majesty's Government upon the points alluded to, is the project of an Order in Council (dated 19 October 1833) for "British Guiana," as published in the London newspapers; and I accordingly introduced that project as a basis for legislative enactment in this Colony, subject of course to such modifications as local circumstances might require.

I am aware that considerable inconvenience may arise from the disallowance of any material parts of such enactments, after they shall have been put in force; but this is a case where there is no alternative.

Ordinance No. 11 of 1834, superseded by Order in Council 17 September 1834; *vide* Appendix (B.) No. 16.

It appearing to the Council that the subjects handled in the first and third chapters of the Guiana project are most immediately urgent, an ordinance in reference thereto has been passed; and I have the honour herewith to transmit a transcript of it. The remaining chapters are now under discussion.

This Island is divided into eight districts, to each of which it is proposed to allot a special justice, a sergeant, and at least ten police guards. I doubt, however, whether in some of the districts this force will be sufficient, especially as there is no militia at Mauritius.

It will also be necessary that there be a special justice and a police establishment at Seychelles, there being at present upwards of 5,000 slaves on that Island; and all the rules and regulations prescribed for Mauritius will be equally in force there.

There will be some difficulty in providing for the future management and discipline of the apprentices in some of the lesser Islands dependent on this Colony, and where the number of slaves at present is small.

I am now looking out for proper persons to be appointed police-sergeants and guards; and if unhappily the gentlemen destined to be special justices for this Colony should not arrive here by the 1st February next, I must make the best temporary arrangement in my power; but I trust this will not occur. I am likewise still in hopes that before that period, I shall receive from you specific directions which will supersede the local ordinances that, in the absence of such directions, it has been absolutely requisite to pass.

I have, &c.
(signed) *William Nicolay.*

— No. 130. —

COPY of a DESPATCH from the Earl of *Aberdeen* to Major-General Sir *William Nicolay.*

No. 130.

Sir, Downing-street, 16 March 1835.

I HAVE received your Despatch, dated the 20th November last, transmitting a transcript of an ordinance which you had passed with the advice and consent of the Council of Government of Mauritius, intituled, "An Ordinance for the purpose of dividing the Colony into districts; for the formation of special establishments of Police, ordered by the 14th article of the Abolition Act of the 28th August 1833; and for determining the formalities necessary to carry into effect the division of the Apprenticed Labourers into their respective classes, conformably to the 4th and 16th articles of the said Act."

This ordinance having been passed under an inevitable ignorance of the fact, that in pursuance of the Act of Parliament, His Majesty had already made an Order in Council for the same purpose, and that Order having been transmitted to you by my predecessor on the 18th September last, I have considered it my duty to recommend His Majesty to disallow the ordinance, the utility of the enactments of which ordinance has been superseded.

I have received the King's commands to convey to you His Majesty's disallowance of the above-mentioned ordinance accordingly.

I have, &c.
(signed) *Aberdeen.*

— No. 131. —

COPY of a DESPATCH from Major-general Sir *William Nicolay* to Mr. Secretary *Spring Rice.*

No. 131.

Sir, Mauritius, 10 January 1835.

HIS Majesty's ship Magicienne has this moment arrived here, on her way from India to England, and will proceed thither immediately. I will, however,

ever, write a few hasty lines to acquaint you that no instructions have yet arrived here, conveying any details for my guidance with regard to the carrying into effect the provisions of the Abolition Act, which will come into operation three weeks hence.

Local ordinances for that purpose have been passed by the Council of Government; and I have taken such preparatory executive measures as I trust will attain the object in question, in a way to meet as nearly as possible the intentions of His Majesty's Government.

I entertain a sanguine expectation that this great change will be accomplished with but little difficulty.

I have, &c.
(signed) *William Nicolay.*

— No. 132. —

EXTRACT of a DESPATCH from Sir *William Nicolay* to the Right Honourable *T. Spring Rice*, dated Mauritius, 29 January 1835.

No. 132.

YOUR Despatch of the 18th September last, transmitting an Order of His Majesty in Council for giving effect, in the Colony of Mauritius, to the statute 3 & 4 Will. IV. c. 73, did not arrive here until the 17th instant. It is therefore impossible to put it in force by the 1st of next month: for the provisions of that Order require to be most maturely considered, especially with regard to the various and important details left to the decision of the Council of Government; and which, for the reasons I have given in a former Despatch, cannot be done until the whole of the Order in Council shall have been translated into good French, an undertaking of no small magnitude in this Colony, where the work of the most able translator that can be found always requires most careful examination and numerous corrections, before it can be fit for publication, particularly where the subject involves technical law terms.

To promulgate an Order of such extreme importance, without having taken all possible precaution to ensure its correctness, might evidently be productive of serious public evil.

In the concluding part of my Despatch of the 8th October last, I signified that, in the absence of all instructions from home for establishing certain rules and regulations for carrying into complete effect the Abolition Act, it was my intention to bring that subject before the Council of Government.

And on the 20th November last, I forwarded to you a transcript of an ordinance, (No. 11 of 1834,) passed by the Council; and which, under certain modifications, was framed upon the basis of the project of an ordinance for the Colony of British Guiana, as given in the public newspapers, and which was the only intimation I had received as to the intentions of His Majesty's Government upon the subject in question.

The same principle was afterwards pursued with respect to the remainder of the Guiana project; and on the 6th instant an ordinance, nearly similar in its provisions, was passed by the Council of Government of this Colony, and ordered to be immediately printed and published for general information.

This ordinance will therefore come into operation on the 1st of next month, and will remain in force until superseded by the Order of the King in Council, after that Order shall have been duly studied and correctly prepared for promulgation.

In the meantime it is very gratifying to perceive that the Order in Council and the local ordinance are in principle the same, and that the difference between them in matters of detail appears to be but small; the transition from the one to the other will therefore be easy.

The fair transcript of the local ordinance is not quite completed, but shall be transmitted to you by the next opportunity.

MAURITIUS.

— No. 133. —

No. 133.

Copy of a DESPATCH from Major-general Sir *William Nicolay* to Mr. Secretary *Spring Rice*.

Sir, Mauritius, 31 January 1835.

Superseded by Order in Council 17 September 1834; *vide* Appendix (B.) No. 16.

I have now the honour to transmit an authenticated transcript of the ordinance, (No. 1 of 1835,) passed by the Council of Government of this Island, for carrying into effect the statute 3 & 4 Will. IV. c. 73; upon the subject of which ordinance I wrote at some length in my Despatch of the 29th inst.

I likewise transmit transcripts of the under-mentioned ordinances:

No. 2 of 1835; a mere temporary ordinance for extending the term before granted, for the delivery of lists of slaves.

No. 3 of 1835; for amending the laws relative to runaway slaves.

No. 4 of 1835; respecting the declaration of births, marriages and deaths among apprentices.

The last two ordinances became necessary, in consequence of the approaching change from a state of slavery to that of apprenticeship.

I have, &c.

(signed) *William Nicolay*.

— No. 134. —

Copy of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

No. 134.

Sir, Downing-street, 31 May 1835.

I have received your Despatch of the 31st January last, enclosing four ordinances passed by yourself, with the advice and consent of the Council of Government of that Island.

The ordinance, (No. 1,) for enforcing and regulating the execution of the Slavery Abolition Act, having been superseded by the arrival in the Island of the Order made by His Majesty in Council for the same purpose, His Majesty is pleased to disallow that ordinance.

The ordinance, (No. 3), for amending the laws relative to runaway slaves, is disallowed by His Majesty for the same reason. Independently of the motive which thus forbids the confirmation of this law, I would remark that it is objectionable because it enables the employer to confine the prædial apprenticed labourer to the plantation throughout the whole of every day; and would thus render it impossible for the apprentice to hire out his services during his own leisure, to any person who might be disposed to pay the highest wages for them. It is at variance with the spirit of the Slavery Abolition Act, and of the subsidiary Order in Council, thus to secure to the employer a monopoly of the extra services of his apprentice.

The ordinance, (No. 4), respecting the marriages of apprenticed labourers, contains an article, No. 4, of which the sense is equivocal. I understand it however to mean, that no apprentice may marry without the employer's consent, but that, should that consent be refused on grounds which the special justice shall consider inadequate, then the consent of the justice to the marriage shall supersede the difficulty, and the ceremony shall take place. All formalities required in the marriages of other persons are to be dispensed with.

The spirit of the law which has established the freedom of the apprenticed labourers, is opposed to all regulations of this nature. There is not sufficient reason why they should not live precisely under the same marriage law as the rest of the society. The distinctions to which it is proposed by this ordinance to subject them, even if not vexatious, are at least invidious. They tend to impair that great principle of legal equality between all classes of the King's subjects, whatever their origin or colour, which it is so evidently necessary to maintain. I must further remark that restraints on the freedom of marriage, such

such as this ordinance would create, can be attended with no salutary practical consequences. An illicit connexion will of course be substituted for the conjugal union which the law prohibits; and the loss incurred on the side of good morals, will be attended with no compensatory advantage in the promotion of order and public tranquillity. For these reasons His Majesty is pleased to disallow this ordinance. MAURITIUS.

His Majesty has been pleased to allow and confirm the ordinance prolonging the term for the delivery of the lists of slaves.

I have, &c.
(signed) *Glenelg.*

— No. 135. —

COPY of a DESPATCH from Major-general Sir *William Nicolay* to the Right Honourable *T. Spring Rice.*

Sir, Mauritius, 3 February 1835.

AS you will naturally feel very anxious to know the effect produced in this Colony, by the "Abolition Act" just come into operation, I will write a few lines by a vessel which will sail this day for England, to acquaint you that it has commenced well. At Port Louis everything is perfectly quiet; and I have received accounts to the same effect from several of the country districts. I shall report to you from time to time upon this momentous subject. No. 135.

I have, &c.
(signed) *William Nicolay.*

— No. 136. —

EXTRACT of a DESPATCH from Major-general Sir *William Nicolay* to Mr. Secretary *Spring Rice*, dated Mauritius, 16 Feb. 1835.

A VESSEL being on the point of sailing for England, I have to report with much satisfaction, that the new system, occasioned by the "Act for the Abolition of Slavery," continues to work well; masters and apprentices appearing content. No. 136.

— No. 137. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay.*

Sir, Downing-street, 25 May 1835.

I HAVE the honour to acknowledge the receipt of your Despatch of the 16th February last; and having laid the same before His Majesty, I am commanded to express to you the satisfaction which His Majesty has experienced at the favourable report you therein make of the state of the Colony, under the changes consequent upon the abolition of slavery. No. 137.

I am, &c.
(signed) *Glenelg.*

— No. 138. —

COPY of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay.* No. 138.

Sir, Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith, an Order of His Majesty in Council, dated the 31st ultimo, declaring that adequate and satisfactory provision hath been made in the Colony of Mauritius, for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the Abolition of Slavery. Order in Council 31 July 1835; printed in Appendix (B.) No. 17.

I have, &c.
(signed) *Glenelg.*

MAURITIUS.

— No. 139. —

No. 139. Copy of a DESPATCH from Lord *Glenelg* to Major-general Sir *William Nicolay*.

Sir, Downing-street, 5 August 1835.

I have found upon inquiry that no transcript of a registry of slaves for 1832, or any subsequent period, has been received in this country from the Mauritius. A mere summary of returns made to the registrar in Mauritius, in 1832, has been transmitted by him to the registrar of slaves here; and from some documents now in this office, I am led to infer that proper measures were taken for completing a due registry of the slaves in the Mauritius, in the course of last year. As however there is no conclusive evidence here that such was the case, I have to request that, as soon as possible after the receipt of this Despatch, you will report to me whether and when any registry for the year 1832, or for any subsequent period, has been completed, and what was the date of the last registry, including the slaves in the Seychelles. You will also transmit to me without delay a transcript of such registry.

I feel it my duty, with reference to this subject, to call your particular attention to the 1st and 12th clauses of the Act for the Abolition of Slavery, by which it is provided that the apprenticeship shall be imposed only on those slaves who on or before the time specified in the Act were duly registered as slaves, according to the laws then in force in Mauritius; and that all slaves not duly registered as before mentioned, shall be entitled to the unqualified enjoyment of their personal freedom on the 1st February 1835.

The returns to which I have adverted have been taken by the Commissioners of Compensation, under the 45th section of the Act, as the basis of the apportionment of a share of the compensation fund to the Mauritius; but these returns, in the absence of a due registry, would not affect the personal condition of the negro, who, if not duly registered, cannot be legally subject to the term of apprenticeship, although he may have been included in the number of those in respect of whom compensation has been awarded.

It appears, moreover, that a claim has been made from Mauritius, and has been rejected by the Commissioners of Compensation, for including in the return of slaves in respect of whom compensation was to be awarded, 2,000 or thereabout, admitted not to have been returned or registered. As these slaves come clearly within those clauses of the Act to which I have referred, and consequently could not be lawfully employed as apprenticed labourers from the 1st February 1835, the day on which the Act came into operation in Mauritius. I presume that you have already taken the necessary steps for declaring them absolutely free. You will, I trust, also have taken the same steps with reference to any others who may not have been duly registered as required by the Act. Should you have omitted to adopt this course, I have to convey to you the desire of His Majesty's Government that you take immediate measures for carrying the provisions of the Act of Parliament, in the cases I have mentioned, into full effect.

I have, &c.

(signed) *Glenelg*

JAMAICA.

(IN CONTINUATION OF CORRESPONDENCE.)

— No. 140. —

JAMAICA.

No. 140.

EXTRACT of a DESPATCH from the Marquis of *Sligo* to Lord *Glenelg*; dated Highgate, Jamaica, 21st June 1835.

" Some time ago I had the honour to transmit to you a resolution entered into at Falmouth, at a meeting where Mr. Miller was chairman, and that the four special justices of that parish had at once, of their own accord, simultaneously written to me to assure me on their veracity that there was no foundation in their districts for the resolution. I wrote a circular, therefore, to all the specials, directing them to make minute inquiries on all the estates in their respective districts as to the state of cultivation for next year, and what might be their prospects of future crop; also whether this year's was over or not. The result of these inquiries I have the honour to send you, and when I do so I must intreat your forgiveness for the imperfect form in which they are sent to you; but I have been compelled to extract them all from the reports sent to me, which have been made in such different manners, and some so diffuse, as to prevent their being sent in their original shape. I could not wait to have them copied, and can assure you that the report, imperfect as it is, has cost me many more days' hard labour than, in justice to the rest of my duties here, I ought to have devoted to it. It is my intention to add to them every day, as I receive from the specials fresh reports of the state of the properties they may have visited. You will find in this report an account of 762 estates made by 39 special justices; and I can assure you that they are exactly in the spirit, and whenever possible, in the precise words, of the original reports sent to me. I also send you copies of the letters of such special justices as have written to me on the subject. A reference to these returns will show you that a great deal depends on management. You will see that all the properties under the charge of some of the great attornies are forward, and that those under the charge of others are backward. One of the complainants gone home, has taken off an enormous crop at his estate this year, as reported to me; another of the complainants, who states that the properties in St. Elizabeth's and Westmorland will not pay their contingencies this year, and whose estate is reported in Mr. Bell's report to be so far behind this year, has taken a vast number of the German immigrants, and has had his whole gang building houses for them, instead of cultivating the land. This is a notoriously unhealthy estate; and finding that he lost so many from want of proper shelter and food, he was compelled to put his gang to provide them with houses. Surely the falling off of that estate can be no proof of the failure of the system. Mr. Gurley, one of the specials for St. Elizabeth's, has reported ome that he went to visit one of the estates of Mr. Wildman, managed by Mr. Farquharson, who reported to him that his cultivation for next year was quite as forward as usual; when, however, he asked the same question of the overseer, his reply at once was, 'I know very well what you are about; you are trying to get up facts for the Governor to send home to contradict the reports of the failure of the crops, but it won't do, you can't succeed.' This will serve as a sample of the feelings of the overseers at the loss of their power. Mr. Rawlinson, special for the parish of St. Ann's, says, in one of his letters to me, 'This is not a sugar district; all that is produced is by hard labour and manure.' This is the fact in many other parishes. Mr. Bell, another special for St. Elizabeth's, also says that it is not a sugar parish, the soil being very bad; that it has been hired by jobbing, and that the least charge on so artificial a property must produce a serious change; but that in the end, if the proceeds are less, the outlay will be proportionably smaller. Mr. Walsh, one of the specials, reported to me that when he named to a relative of one of the principal resident

(D.)

(B.)

(C.)

JAMAICA.

proprietors, who was complaining that the apprentices would not be able to get off his crops in time, that he was authorized by them to offer their labour in their own time at the usual rate of wages, 1*s.* 8*d.* currency, or 1*s.* sterling per nine hours, he was desired to hold his tongue, and not to speak to the old gentleman about it, as it would make him angry, he having firmly resolved never to pay any wages to any of his former slaves.

(A.)

I enclose herewith some memoranda I have made of conclusions I have come to, as well as the returns and letters I have before named, and have to apologize for the prolixity of the communication; but when I see attacks made on me here every day, accusing me of gross and wilful misrepresentations, and when I know that they will all be eagerly conveyed to England, I am anxious to send home the antidote, if I am able to furnish one, so as to be in time to correct the effects of the poison, which I know to be in its passage home."

Enclosure (A.)

Enclosure (A.)

A few *Memoranda* respecting *Jamaica*; the result of some Consideration and Observation, combined with the best Information that could be procured.

1. The quality of the sugar made this year is *bonâ fide* far superior to what has been heretofore made by night work on the majority of estates in this Island.

2. There has been by far less stock lost in this year's crop than in that of preceding years, and in many places it has been taken off by a smaller number.

3. The stock are, generally speaking, in much better condition this year than they were at the close of any former year's crop, when they have been so weak that many of them have died in consequence.

4. That the apprentices generally are evidently becoming more reconciled to the system, and work cheerfully for money hire both night and day, and that they are becoming better behaved every day.

5. That they may be expected still further to improve as soon as they begin to feel the natural impetus of education and religion, and as they get rid of the system of deceit which slavery occasioned in order to save them from oppression.

6. That several estates will exceed the present crop in the next year, and the majority will equal it.

7. That when this is not the case, it can be traced to sufficient causes, independent of the loss of labour, which of course must have considerable effect, when it is recollected that on many estates the slaves were compelled not only to work day and night as long as nature would allow of it, and in such manner as their bodily endurance would permit, for the six week days, but were often compelled to pot sugar on the Sunday.

8. That a manifest supineness has been exhibited on several plantations, by the fact that next year's crops are often estimated at much more than the present. I know of several individual instances of persons declining to put in plant canes last year, in consequence of the certainty, by anticipation, which they felt that the crop would not be taken off at all.

9. The returns I send home herewith will show that the preparations for the next year's crop have not been so entirely neglected as has been asserted.

10. That "the new system" furnished a most admirable excuse for any failures and neglects which may have taken place, and which will not therefore be attributed to their real cause.

11. My conviction is, that in many instances the opinions of individuals are much more favourable as to future prospects than they choose to allow; and I offer, in proof of it, the reluctance which has been shown in but too many instances to my getting any information upon the subject.

12. That the overseers in many, I will fearlessly say very many instances, have not given hearty co-operation to the new law, feeling themselves shorn of all their beams by its operation.

13. That many of the attornies and managers have been so very loud in their assertions of the failure of the system, that they are now unwilling to admit the errors of their opinions.

The first prophecy was blood and destruction on the 1st of August; in this they were wrong. The second, that this scene would take place at Christmas, as it had not taken place in August; in this they were wrong. The third, that the apprentices would not work for wages; in this they were wrong, as I know of no instance where the usual wages were offered and where they were refused. The fourth was, that this crop could not be taken off; in this they were wrong, as it has been taken off in many places much earlier than usual; and if protracted in others, it has been as much from the weather, and the refusal to give wages in many instances, as from any other cause affecting the success of the new system.

14. Having

14. Having been driven from all these points, they have now created for themselves a fresh object of terror, namely, the next year's crop. On this point I have had some doubts myself all along, and therefore send the information I have received, in order that judgment may be given by others. I freely confess that the report is, on the whole, much more favourable than I ever expected.

15. That the manufacture and cultivation of sugar has been conducted on the most antiquated systems possible, and has received the least possible assistance from the modern improvements in machinery. The plough is hardly ever used; where adopted this year from necessity, it has answered completely. The cattle mills, which are so general, must be abandoned, as they work so very slowly that they cannot meet the diminished hours of labour of the field gangs.

16. That the ginger, arrowroot and coffee plantations are as flourishing as ever they were known to be.

17. That the negroes will improve, because they have done so since the 1st of August, gradually but certainly, in all parts where severity has not been practised.

That they have had very little encouragement from many of the managers.

That in the whole of the early part the number of special magistrates was quite insufficient, and this affects them more than might be at first imagined, as they show unlimited confidence in those (the great majority, I am proud to say) who treat them with true kindness.

That they passed their holidays at Christmas in an unusually orderly manner, and that there was, literally speaking, I verily believe, not 20 absentees from their labour on the 29th December; and that they worked on New Year's-day without a murmur.

That there has been as yet no increase of religious instruction or education, and very little of good example.

That the crop this year has been taken off without a single instance of resistance, and of a superior quality to that heretofore made.

That there has been less stock lost this year than usual.

That they have in most instances worked cheerfully, day and night (when allowed to do so by night), for hire, on five days of the week.

That they now dig cane holes in many parts of the Island at one halfpenny per hill, earning a dollar a day, digging 160 often in a day, when 70 to 80 was their task during slavery.

That several planters reluctantly confess that more work has been done this year than the last, and that many objections have been made to my comparing this year's work to the last, because it was notorious they did not work at all the last year.

That the amount of this year's is not therefore to be attributed to the exertions of the last year of slavery, as has been asserted. That every one confesses that things are going on, though not at all well, much better than they expected.

That there has been a singular want of uniformity in the administration of the law, which was not and could not be got over till after some months' experience of it.

That there has been a great variance in their allowances, indulgences and rates of payment.

That many have not been paid at all, but have been persuaded by the managers to give additional labour for their old allowances.

That the planters looked upon the specials with great jealousy; and it was a struggle at first in many places to maintain as many of their old rights as possible.

That many planters have openly and loudly expressed their conviction that the plan must be a perfect failure.

That many of the managers, though, thank God, not all, still maintain their former habits towards them, as far as the law allows them.

That there has been little time for the apprentices to reconcile their feelings to their former oppressors.

When all these things are recollected, and it is seen that under all these disadvantages they have behaved so well, and shown such improvement, may it not naturally be inferred that they are in a state of progressive amendment?

Thus much of the conduct of the apprentices. What now has been that of the whites? Of some of the managers I cannot speak too highly; but then they have reaped the fruit of their wisdom in the remarkable success which has attended their efforts. A reference to the reports will show what success has attended the efforts of some, and how deplorable is the state of some of the properties under the management of others, though enjoying precisely similar advantages.

On the whole, I come to the conclusion, that the perfect success of the new system during the continuance of the apprenticeship depends entirely on the conduct of the white people, and that if it fails, on them will rest the entire blame.

(signed) *Sligo.*

Enclosure (B.)

STATEMENT of the Number of Miles travelled by the Special Stipendiary Magistrates, Estates visited, and the Number where there were no Complaints.—Jamaica, June 1835.

NAMES of SPECIAL MAGISTRATES.	Week ending 4 June.			Week ending 11 June.			Week ending 18 June.			Week ending 25 June.		
	Miles travelled, per Returns received.	Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Estates visited.	Estates on which there were no Complaints.	Miles travelled.	Estates visited.	Estates on which there were no Complaints.
Alley, W. H.	98	8	2	60	6	3	137	9	5	97	10	3
Baynes, E. D.	27 ½	9	5	65	15	9	78	15	12	53	22	9
Baynes, Thomas	72	20	6	83	18	9	45	12	3	66	19	11
Baines, Thos. J.	42	11	7	56	13	11	40	12	11	29	7	6
Blake, Henry	40	11	8	62	17	12	67	11	6	29	11	8
Bell, W. A.	75	16	11	120	14	8	53	15	9	-	-	ill.
Bourne, Stephen	51	7	5	50	7	2	44	5	–	52	7	–
Colebrooke, Thos.	81	24	20	102	25	16	66	12	2	-	sent to Bahamas.	
Connor, N. A.	-	-	Kingston	-	-	Kingston	-	-	-	Kingston	-	-	Kingston.	
Cocking, Ralph	51	14	13	91	21	16	73	11	10	70	16	3
Cooper, R. S.	16	5	2	31	10	8	66	17	4	-	no return.	
Dillon, Andrew	-	-	-	-	-	-	Resigned his commission.					
Dunne, Patrick	88	18	9	75	19	14	94	16	9	52	17	9
Daughtrey, John	42	10	5	63	12	10	66	13	7	69	13	8
Davies, Thomas	34	8	3	47	16	11	35	8	5	35	10	7
Dawson, J. K.	36	18	12	60	27	19	38	22	10	22	10	7
Dillon, T. A.	46	8	6	78	13	10	143	22	18	60	9	6
Eveleigh, John	57	12	5	37	10	6	43	7	4	-	-	ill.
Edwards, Bryan	67	14	11	125	25	19	101	18	5	124	14	2
Fitzgerald, Robert	54	7	1	32	7	2	52	9	4	23	3	1
Finlayson, Walter	61	17	6	66	21	16	85	29	15	83	26	17
Favier, Simeon	20	6	–	98	24	19	81	29	21	82	22	16
Fishbourne, E. E.	48 ½	15	11	94	25	16	42	17	9	54	15	8
Gillam, William	53	12	9	20	7	1	-	-	no duty	-	-	-	Spanish Town.	
Gurley, John	59	18	13	70	18	12	60	13	6	65	13	8
Haley, Richard S.	50	11	10	104	16	5	116	14	8	66	10	8
Hulme, John R.	68	25	18	93	21	9	79	31	22	61	15	9
Hawkins, Charles	51	18	14	36	10	6	40	15	11	66	25	21
Hewitt, William	60	11	8	94	21	11	58	12	3	89	23	11
Jackson, James	50	10	10	-	-	dead	-	-	-	-	dead	-	-	-	dead.	
Jones, Thomas W.	52	7	6	97	17	10	84	13	8	82	14	9
Kent, Henry	77	19	3	76	27	12	37	23	16	75	18	6
Langrishe, R. J.	18	12	8	116	18	14	52	11	3	-	no return.	
Laidlaw, Henry	81	19	17	67	13	7	80	20	12	82	18	6
Lambert, R. S.	-	-	no duty	-	-	-	-	no duty	-	-	13	6	6	51	21	14
Lyon, Edmund B.	57	15	10	58	17	9	49	15	6	72	15	6
Lloyd, Samuel	114	14	10	124	19	9	116	20	11	106	12	5
M'Gregor, Donald	41	14	7	47	17	11	32	15	9	42	16	8
M'Leod, A. N.	22	10	5	40	14	8	48	19	11	37	8	4
Moresby, Henry	58	15	3	-	-	ill	-	-	-	-	ill	-	-	-	-	ill.
Marlton, W. F.	47	6	5	63	22	14	-	-	no duty	-	-	71	17	9
Nolan, James	76	27	25	70	19	16	107	24	20	67	19	6
Norcott, William	-	-	no duty	-	-	-	no duty	-	-	-	no duty	-	-	-	-	no duty.
Odell, John	34 ½	11	6	59	14	6	43	11	7	48	13	5
Oliver, Thomas M.	13	3	–	39	12	4	86	14	9	132	16	11
Pryce, Samuel	49	21	6	55	22	15	82	32	26	65	27	20
Palmer, Andrew L.	-	-	no duty	-	-	-	no duty	-	-	-	-	-	suspended.			
Philp, E. D.	79 ½	23	19	104	32	25	101	30	19	88	24	17
Pennell, R. C.	79	9	6	79	12	7	73	11	7	60	11	8
Ramsay, William	-	police duty	-	-	police duty	-	16	4	1	43	17	13
Rawlinson, S.	28	8	6	86	19	9	68	22	13	83	22	11
Reynolds, John	24	11	7	64	9	2	88	10	6	51	6	4
Sowley, W. H.	68	13	11	100	17	8	73	13	8	50	13	5
Thompson, Robert	-	-	no duty	-	-	-	no duty	-	-	-	-	no duty	-	-	-	no duty.
Thomas, J. R.	-	-	ill	-	-	29	22	8	83	23	8	82	24	15
Welch, A.	85	20	18	126	23	17	130	32	31	88	18	15
Walsh, Henry	42	4	2	73	9	–	60	21	17	69	17	14
TOTAL	2,643	644	420	3,484	812	501	3,323	783	473	2,891	683	389

RECAPITULATION.

	Miles travelled.	Number of Estates visited.	Where no Complaints.
To 4 June - - -	2,643	644	420
To 11 June - - -	3,484	812	501
To 18 June - - -	3,323	783	473
To 25 June - - -	2,891	683	389
	12,341	2,922	1,783

Enclosure (C.)

(No. 1.)

DISTRICT REPORT of Special Justice *Cocking*, St. James's.

FROM information derived from the managers and attornies of estates, respecting last year's and the present state of cultivation in this district, their letters unanimously agree in the opinion that the crops are not generally so forward in the cultivation as they were at this period last year; and that the grass pieces are also very much neglected; but they are also of opinion that if the apprentices worked as well from the 1st of August to the time the mills were put about as they are now doing, the estates would be in a more forward state.

N. B. The letters are too voluminous, or they would have been sent.

(No. 2.)

My Lord, Home Castle, 28 April 1835.

IN answer to the letter of Mr. W. G. Nunes, of the 17th inst. (Circular, No. 2,024), requesting to know if the preparations on all the estates in this district are as forward as usual at this period of the year for next year's crop, I have to state that on no one estate are they quite so forward as usual.

I have, &c.
(signed) *Stanley Rawlinson*, S. J.

(No. 3.)

My Lord, Rio Buene, 28 April 1835.

I HAVE the honour to enclose my weekly report; and in reply to a circular from your Excellency of 17th April last, receipt of which I beg to acknowledge, as also of circular of 16th February with instructions and sundry forms, I have to state, that after a careful examination of the different reports I have received as regards the present advancement of the preparations for next year's crop, as compared with last year's at this time, I have come to the following conclusion; viz.—That nearly all the estates in my district are considerably behind hand; and that where such is not the case, it has been at the expense of present crop, or in other words, that the mill has been stopped to enable the apprentices to work the ground for next year; whereas last year, during the months of February, March and April, both were worked at the same time; but that, notwithstanding all this, they will by the 1st day of August next be as far advanced, or very nearly so, as they were on the 1st of August last; because the apprentices are now working better and better every day; whereas during the months of June and July last year they were in a state of general excitement from some ridiculous notions which they had got into their heads, and did little or no work.

I have, &c.
(signed) *R. C. Pennell*, S. J.

(No. 4.)

My Lord, Lindores, 27 April 1835.

I HAVE to report to your Excellency this district to be perfectly tranquil, and that I find complaints are becoming less frequent, excepting one or two places. The properties are, on inquiry, about as forward this year as they were this time last year. Some have not as many canes planted, but that is owing to the severe drought.

I have, &c.
(signed) *B. Edward*, S. M.

JAMAICA.

(No. 5.)

My Lord, Villa, 28 April 1835.

I HAVE the honour of enclosing my last week's diary for your Excellency's information. I beg leave to acquaint your Excellency the negroes generally in my district are conducting themselves and working in a satisfactory manner. I have also to inform your Excellency some of the estates are quite as forward with their preparations for next year's crop as is usual at this period of the year; others would have been so had not the continued dry weather prevented their planting; but have also to state there are some properties not near so forward as usual.

I have, &c.
(signed) *E. D. Philp*, S. M.
Leeward District, Westmorland.

(No. 6.)

My Lord, Belmont, Mocho Mountains, 29 April 1835.

I HAVE the honour to inform your Excellency that I have made inquiry on the different estates in my district, and have been informed by the managers that all necessary preparations are making for the next year's crop; but they are not so forward as last year at this time, in consequence of the drought that has been so severely felt. In the low lands of my district, on one or two sugar estates (Parnassus), where partial rains have fallen, the plants are much finer than last year at this period. I have also the honour to inform your Excellency that the apprentices are giving their managers ample work; their general conduct is good, and they show a disposition of cheerfulness and good feeling towards their managers. In these mountains, on some of the coffee plantations, there is a little irregularity; but I have no doubt that a further explanation of the law, together, perhaps, with a little example where it may be necessary, in the way of punishment, will effectually restore good feeling and unanimity. I have to inform your Excellency that I have received your instructions dated 16th February, and shall not fail in fulfilling them to the utmost of my power.

I have, &c.
(signed) *R. J. Langrishe*, S. J.

(No. 7.)

Your Excellency, Alexandree, 28 April 1835.

I HAVE the honour to report that my district continues, with some few exceptions, as regular and quiet as usual. My own opinion of the appearance of next year's crop is that they are as forward as usual; but some of the overseers appear not to think so. I shall, however, by next post, I trust, be able to forward to your Excellency the required information on this subject, as well as the quantity of sugar made in my district to this time, and to the same period last year, as directed by your Excellency's orders through Mr. Nunes.

I have, &c.
(signed) *A. Dillon*, S. M.

(No. 8.)

My Lord, Falmouth, 20 April 1835.

I BEG leave to state to your Lordship that during the late rains all the estates in this district stopped their mills to supply the cane pieces with plants, in lieu of those worn out. I can say that some of the estates are as forward with their crops, and in as good a state of cultivation as at any former period; but it is not the case with all. But I will make the necessary inquiries. I have nothing of moment to report to your Excellency, but to say this district is going on favourably.

I have, &c.
(signed) *Thomas Davies*, S. M.

(No. 9.)

Sir, St. Ann's, 29 April 1835.

IN answer to your letter of the 17th instant, where his Excellency the Governor requests to know from me if the different properties I visit are as forward in the next year's crop as at this period it is usual, I beg to state, for the information of his Excellency, that from all I can learn from the most respectable and experienced planters in this district, that the estates under their charge are at least two months backward what they were this time last year; and I am afraid, from what I can gather, that those where the apprentices in the first instance refused to keep spell according to law have suffered materially in their last year's crop.

I am, &c.
H. H. Sowley.

JAMAICA.

(No. 10.)

Sir, Lloyd's, 29 April 1835.

In reply to your letter of 17th ultimo, directing I would make inquiries on all estates within my district if the preparations for next year's crop are as forward as usual at this period of the year, I beg leave to state, as the result of my observation and inquiries, that the majority of estates in this district are as forward as usual in their field culture; but that the number of acres planted in canes have in general been diminished about one-half of what was formerly the custom of putting in at this period of the year. That some estates are backward in their field culture, is the natural operation of the new system, which has reduced the quantum of labour; and that all are not so, proves that the labour of the apprentices has been on those estates either more vigorous or more judiciously applied than formerly, as at present there remain the same number of acres in cultivation that last year occupied the coerced and unlimited application of the labourers.

The present crop is in a state of great forwardness, and the prospect for the future must be gratifying to every clear-sighted and experienced planter; for though the number of acres in canes must inevitably be reduced, the quantity of sugar made may be quite equal to that of the present year (if not exceeded), by the stimulus of an improved system of agriculture.

I have, &c.

W. G. Nunes, Esq. Secretary. (signed) *Edmund B. Lyon.*

(No. 11.)

My Lord, Stoney Hill, 29 April 1835.

I have the honour herewith to transmit my report for the last week.

I beg leave to acquaint your Lordship, in obedience to your Excellency's commands, the coffee plantations throughout this district are in every respect in good order, some which I shall name were never in better; Salisbury Plain, Toppa, Mullett Hall, Fair Hill.

On all the sugar estates, the mills are and have been some time about; and from the hours, limited hours of labour, it must be expected on some properties that the cane pieces are a little backward; however, from the apprentices becoming more willing to work for hire in their own time, I have reason to suppose there will be no falling off in next year's crop (season proving favourably).

I have, &c.

(signed) *Samuel Lloyd,* Special Magistrate.

(No. 12.)

My Lord, Elim, Great House, 28 April 1835.

In answer to the request for a return of quantities of sugar made last year and this, in the same time, on well-conducted estates, 3-4ths is generally made in the same number of hours, where the whole was formerly made.

There are so many estates on which I could not get the information, the attornies and book-keepers being changed, that I am forced to give the information as I have it, and not an exact return. I give one case as a sample of all, Island estate, Nassau:

The mill this year in 50 days made 85 hogsheads.
— last year 63 days - 118 hogsheads.

But not a cane or grain of sugar has been lost, as the crops, from seasons, here are so short.

I have, &c.

(signed) *W. H. Bell,* Special Magistrate.

(No. 13.)

My Lord, Chapleton, 22 April 1835.

On my return I had the honour to receive the several letters addressed to me by your Lordship's desire, which shall be duly attended to. The vestry and quarter sessions' meeting have occupied all my time, and this week I have not any return to make, as Captain Dillon includes everything that has transpired. Before Mr. Nunes's letter, directing me to report, for your Excellency's information, "whether the preparations for the next year's crop in this parish are as forward as usual at this period of the year," I had directed my inquiries into the matter, as contrary reports were afloat, which, though I believe to be false, were nevertheless plausible. I shall renew my inquiries more particular. The result of those already made give me the right of asserting, where the people are hired during extra time the preparations for next year are as they have always been.

I have, &c.

(signed) *R. Standish Haly,* Special Magistrate.

(No. 14.)

My Lord, Flankfield, Upper Clarendon, 29 April 1835.

I enclose the usual diary to your Excellency, a glance at which will show that the complaints in this district are trifling and few.

JAMAICA.

I have made particular inquiries upon every property enumerated in the report, and find their preparations for next year, in most instances, as usual; where they are not so forward it may be attributed to the fine season confining the labour to making sugar, which will, however, be finished, if the dry seasons continue, in time to retrieve any backwardness arising from this cause. Where the negroes work for hire (and that in Upper Clarendon is everywhere), if there is want of preparations that can affect next year's crop, the fault is in the management; the remedy, to discharge the manager.

I have, &c.
(signed) *R. Standish Haly*, Special Magistrate.

(No. 15.)

My Lord, Rectory, 29 April 1835.

I HAVE made every inquiry of the managers of estates, as to their state of preparations for next year's crop; the general answer is, "that they are not so forward as they were at this period last year." Now I imagine this is, in a great measure, owing to their devoting the whole of the labour to the taking off the present crop, which will be over (with very few exceptions) in the course of a fortnight on all sugar estates in my district; and then, I have no doubt, the preparations for next year will be carried on with activity and satisfaction.

I have, &c.
(signed) *T. W. Jones*, Special Justice.

(No. 16.)

My Lord, Top Hill Pen, Trelawney, 5 May 1835.

BY the present post I have not been honoured by any communication from your Excellency. I have now the pleasure to submit to your Lordship my return of duty for the past week, accompanied by a monthly return of estates visited, both of which are made out in form agreeably to the directions received from your Excellency, and which I hope may be approved.

I also submit a sketch of the preparations for next year's crop, by which your Lordship will perceive that on some of the estates there must have been a manifest supineness; on others the planters have been more provident, and their expectations are equal, and on some properties better, for the ensuing than the present year. I humbly submit to your Excellency, that it appears to me the apprentices generally, and the planters also, are becoming more reconciled to the system, and show a more steady attentiveness to duty than they have done during the past six or eight months; but on the weakly-handed estates the crops must necessarily be reduced considerably.

I have, &c.
(signed) *S. Pryce*, S. M.

(No. 17.)

My Lord, Morant Bay District, 6 May 1835.

IN compliance with your directions of the 17th April, to report if the preparations for next year's crop are as forward as usual at this period of the year, I beg to say, from the inquiries I have made on the estates in this district, I am informed the cultivation of the young canes, &c., are not so forward; it appears to me, that in consequence of the difference of hours for working this year, and that of last, is the only cause; their sole object has been in getting off the present crop.

I have, &c.
(signed) *John Eveleigh*, Special Justice.

(No. 18.)

Sir, Warwick, 3 June 1835.

I BEG to acknowledge the receipt of your circular. In reply thereto, I can state that the coffee crop, on every property in this district, is finished, and the preparations for the next as far advanced as ever they were, with the prospect of a general good crop, which will commence about the latter end of July. As there are no sugar estates, to which I consider his Excellency's commands more particularly to apply, I shall beg of you to inform me whether I am further to comply with the instructions the same circular contains.

I have, &c.
(signed) *Arthur Walsh*, Special Magistrate.

(No. 19.)

My Lord, Mile Gully Pen, 10 June 1835.

ALL the properties I have visited in this part of the parish of Manchester are either extensive pens or coffee plantations.

The answer I have received to the questions I have put, as to the last year's produce, have been uniformly the same, "that it was very unproductive." With regard to the prospect

pect of this year, it is everywhere good. The plantations are in a state of bearing seldom equalled; and I am happy to add, that the general conduct of the apprentices is orderly and attentive to their work.

There have been, however, cases which I have found it necessary to visit with severe punishment. It has had the effect of diminishing crime on those properties.

I have, &c.

(signed) *William Henry Alley*, Special Magistrate.

(No. 20.)

My Lord, Savanna La Mar, 2 June 1835.

In consequence of illness, I have not been able to travel so much this week as others; at the same time, have not been required by a purpose messenger to any one property; and some of the estates are making great strides towards a good plant for a crop next year, and of which I shall hope next report to give a more satisfactory account.

I have, &c.

(signed) *Thos. M. Oliver*, S. M.

(No. 21.)

My Lord, Amity Hall, 10 June 1835.

I have the honour of enclosing my weekly report; also a statement of the forwardness of the cultivation of the estates in this parish, which I trust your Lordship will be pleased with. The managers gave the necessary information without hesitation; and from my own observation, I have never, my Lord, seen any estate in better cultivation than they are at this present moment, now that they are getting the seasons. The different managers state to me that they fully expect a much larger crop next year, as all the estates are looking much better than at this period last year.

I have, &c.

(signed) *James Nolan*, S. M.

(No. 22.)

Extract of a LETTER, dated Trelawney, 9 June 1835.

I find it difficult, my Lord, to obtain information from the planters; but one of the principal attornies has admitted, that things were coming round well, and that there would be a great deal more work done this year than the last, which I beg to assure your Lordship is an absolute fact.

The late fine rains have put a new face on the country, and it is pleasant to observe the increased exertions of all parties concerned in the cultivation of the cane fields.

(No. 23.)

My Lord, Stoney Hill, 14 June 1835.

I have the honour herewith to transmit the state and condition of the properties in my district as compared with their state at this period the two preceding years. Although I am happy to assure your Excellency this district is in as good order as could be well expected from the diminished hours of labour, as compared with the old system, I am nevertheless sorry I cannot say the labour is freely done; on the contrary, I am convinced were it not for a dread of coercion the properties would soon become a useless burthen on the proprietors.

I have, &c.

(signed) *Samuel Lloyd*, Special Magistrate.

(No. 24.)

My Lord, 16 June 1835.

I have the honour to enclose my weekly report, with one of the state of the crops on the properties within my district visited by me this week. I did not receive Mr. Nunes's letter, dated the 27th May, calling for this report, till the 8th of June, which prevented my commencing this inquiry sooner. It will appear, that in most cases the crop for next year is reasonably forward, and, except an unfavourable season ensues, no falling off in produce need be apprehended next year; on several estates a considerable increase may be expected. I consider that the apprenticed labourers on most estates in my district are improving considerably in the point of industry and in their general conduct. I did not visit Maddock's Mountain, one of the properties in my district, as I should otherwise have done, in consequence of the gang being at present jobbed at Papine. I received a favourable report of them from their overseer, who told me that they were regularly doing the quantity of work I ordered them some weeks back.

I have, &c.

(signed) *R. Fitzgerald*, Special Magistrate.

JAMAICA.

(No. 25.)

My Lord, Montego Bay, 16 June 1835.

With reference to the circular, I have not been able to get such information as I should feel satisfied in transmitting your Excellency.

Under these circumstances, I must enter on another week to complete my return as required by circular. On this subject I would merely add, that no confidence whatever can be placed on the information procured from the head negroes, as they either do not understand the question put to them, or if they do, appear determined never to speak truth in answering them. This I state advisedly.

I have, &c.
R. S. Cooper, Special Magistrate.

(No. 26.)

My Lord, Mile Gully, 17 June 1835.

With reference to your Excellency's orders, I have made the inquiries you desired, and have received from the proprietors, overseers and book-keepers of the different properties I have visited last week, and up to the date of my report, universally the same answers, "That the coffee crop of last year was a very unfavourable one." The promise of this year's produce is everywhere most abundant, but the preparations not so forward as last year at this period.

I have, &c.
(signed) *W. H. Alley*, Special Magistrate.

Enclosure (D.)

Enclosure (D.)

SUMMARY of the Reports on the State of Cultivation, Crops, &c.; Jamaica, June 1835.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Ann's:			
Llandovery	W. Mills	not finished	Preparations one-third behind hand.
Blenheim	Ch. Smith	ditto	More forward than last year.
Richmond	ditto	ditto	Not so forward by one-fourth.
Cool Shade	Stephen Ross	ditto	As forward.
Wakefield	A. R. Scott	ditto	Very near as forward.
Windsor Castle	-	ditto	More forward.
New Ground	Dr. Anderson	ditto	Not so forward by one-third.
Carlton	Hy. Cox, prop.	ditto	Not near so forward; cattle mills.
Drax Hall	B. J. Williams	ditto	Very near, if not quite as forward.
Bankes	Ch. Smith	not yet commenced	Quite as forward.
Seville	Ch. Anderson	begun in August	Some preparation for the next.
Mammee Bay	J. W. Davis, prop.	cropping	ditto.
White River	B. J. Moncrieffe, proprietor.	ditto	Very backward.
Hiattsfield	B. J. Williams	crop not finished	Great preparations made for next crop.
Shaw Park	J. Walker, prop.	-	Very backward.
Southfield	Ch. Smith	not finished	Not quite so forward as usual.
Antrim	H. Browne, prop.	crop as usual	ditto.
Lawrence Park	ditto - attorney	ditto	Not in arrear at all.
Home Castle	R. Janweak	ditto	Much in arrear.
Queen Hithe	H. Brown, attorney	ditto	Rather in arrear.
Dunbarton	ditto	ditto	ditto.
Orange Valley	W. Miller	ditto	Much in arrear.
Knapdale	A. Davis	ditto	Quite as forward as usual.
			Sowley's Report.
Portland:			
Williamsfield	— Williams, prop.	not finished	Well managed; much improved: great increase.
Prospect	J. Meen, attorney	ditto	Very favourable prospects.
Anchovy Valley	Johnson, prop.	ditto	Much in arrear.
Cold Harbour	Holmes, attorney	ditto	Favourable; many new canes planted.
Sion Hill	Jones	ditto	ditto.
Fairfield	Passley, prop.	no crop made	Estate abandoned.
Newport	Clarkson, prop.	pimento, ginger, and arrowroot.	Very favourable.
Retreat	Meen, proprietor	pimento; finished	Prospects favourable.
Providence	Hinchelwood, prop.	provision	Favourable.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Portland—*continued.*			
Mount Oakley	Meen, attorney	ginger	Same as last year's.
Bogg	Johnson, attorney	sugar; not finished	Prospects very favourable.
Norwich	Barr, overseer	not finished	Prospects as usual.
Whitehall	Appleby, overseer	ditto	Rather favourable on the whole.
Hope	Eatson, manager	ditto	Unfavourable.
Stanton Harcourt	Swire, attorney	ditto	-- Favourable; much new canes planted.
Seaman's Valley	Lingard	ditto	Prospects very favourable. *Macgregor*'s Report.
Manchester:			
Marlbro'	H. J. Salmon	finished	-- Cultivation going on well; good prospects.
Old England	Rowe, proprietor	ditto	Backward, but going on well now.
Plenlimmon	J. Warren, prop.	ditto	Cultivation satisfactory.
Heathfield	N. Joseph	ditto	- ditto - promises well.
Ryde	J. P. Windt	ditto	- ditto - ditto.
Dalysgróve	P. P. Daly	ditto	- ditto - ditto.
Waltham	J. Davy	ditto	- ditto - ditto.
Cedar Grove	J. Salmon	ditto	- ditto - ditto.
Caledonia	R. Crawford	ditto	- ditto - ditto.
Fairfield	M. Powell	ditto	- ditto - ditto.
Newark	-	ditto	- ditto - ditto.
Swaby's Hope	R. Griffith	ditto	- ditto - ditto.
Albion	R. Lewers	ditto	- ditto - ditto.
Gee Valley	A. Napier, prop.	ditto	- ditto - ditto.
New Hall	J. Brown, prop.	ditto	- ditto - ditto.
Mount Nelson	- ditto	ditto	- ditto - ditto.
Barossa	J. Griffith	ditto	- ditto - ditto. *Colebrooke*'s Report.
St. Elizabeth:			
Elim	D. Robertson	ditto	No money paid to apprentices on these crops all fall; plants failed from drought, but expects a full average crop.
Bogue	- ditto	ditto	
Two Mile Wood	W. Redgard	ditto	
Barton Estate	J. Salmon	almost finished	Average crop expected.
Union	- ditto	- ditto	-- Jobbing now discontinued; will make full average.
Mexico	- ditto	over	Much more forward than usual.
Island	Robertson & Ridge	ditto	Quite as foward as usual.
Appleton	J. Salmon	not finished	-- Enormous crop this year, therefore backward.
Lacovia	Robt. Watt, prop.	-	-- Backward, from all gang being employed making houses.
Lancaster	A. Devis	in Chancery.	*Bell*'s Report.
Trelawny:			
Hyde Hall	B. Schardsmidtt	-	Same as before.
Kinloss	M. Scott, prop.	160 acres; very good	Mean to diminish one-third.
Gibraltar	M. Jackson	-	Almost the same.
Sportsman's Hall	Brown, proprietor	170 acres	Getting on well.
Manchester	Cunningham, prop.	160 acres	-- Mean to carry on same cultivation.
Biddeford	- ditto	200 acres	Mean to throw up 40 this year.
Jock's Lodge	Richard Banett	90 acres	-- Throw up 30, and expect more sugar.
Ashley Hall	Walcot, proprietor	-	Just as well as ever.
Barnstaple	Walcot	-	-- Expects to make a great deal more.
Long Pond	Millner	260 acres	-- Doing very well; same cultivation.
Mahogany Hall	ditto	a little pen	Negroes work at Long Pond.
Stirling Castle	Kerr	coffee, ginger, pimento	Going on very well.
Ulster Spring	W. Frater, prop.	-	Appear to be rather forward.
Spring Garden	- ditto	-	Doing very well in ginger.
Dover Castle	- ditto	-	Pimento - ditto.
Hyde	Will begin to proceed next week; all the mills have stopped to make preparations.		Mr. *Pennel*'s Report.
Stonehenge			
Swanswick			
Hampshire			

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Trelawny—*continued.*			
Lancaster, Harmony Hall, Arcadia.	Miller - - -	- - - -	Three months behind.
Brumpton, Bryan, Bryan Castle.	ditto - - -	- - - -	One month behind.
Steelfield, Braco -	- - - -	- - - -	Two months and a half behind.
Etingdon - -	W. Miller - -	- - - -	Much more forward.
Friendship Nightingale Grove, Hopewell.	- - - -	- - - -	Half a month behind.
Vale Royal, Colchis	- - - -	- - - -	Two months behind.
Stewart Castle -	W. Miller - -	- - - -	- - Rather behind, but expect a larger crop next year than this.
Hopewell - -	Cuningham - -	going on well -	- - ditto.
			Mr. *Hawkins*'s Report.
Green Park - -	- - - -	more forward -	Not quite so forward.
Orange Valley -	- - - -	not so foward -	Not so forward.
Kent - - -	- - - -	more forward -	- ditto.
George's Valley -	- - - -	- - - -	More forward than last year.
Carrickfoyle - -	- - - -	- - - -	Same as before.
Greenside - -	George Cuningham	not so forward -	Not so forward.
Hampshire Pen -	- - - -	- - - -	- - In a very good state of cultivation.
Southfield - -	- - - -	- - - -	No cultivation.
Florence Hall -	James Geddos -	not quite so forward	Not so forward.
Orange Grove -	George Manett -	- - - -	- - Equal for the present and future to last year.
Roslin Castle - -	George Cuningham	not so forward -	Future crop quite as forward.
Dry Valley - -	Richd. Barrett -	quite as forward in every way.	
Spring - - -	W. Carey - -	- ditto - -	- ditto - except pasturage.
Grange - - -	J. Murray - -	- ditto - -	- ditto.
Claremont - -	George Manett -	- ditto - -	- ditto.
Water Valley -	Richd. Barrett -	- - - -	- - In a better state of cultivation than last year.
Oxford - - -	S. M. Barnett -	not so forward -	Preparations quite as forward.
Holland - -	W. Reevy - -	more forward -	- - ditto.
Irving Tower - -	J. Heslop - -	- - - -	Same in every way as last year.
Hague - - -	George Manett -	crop the same -	Preparation not so forward.
Mayfield - -	George Cuningham	- - - -	- - Not quite so forward, but getting on.
Lottery - - -	James Murray -	- - - -	More forward in every way.
			Mr. *Davis*'s Report.

				1834.	1835.	1836.
Good Hope - -	- - - -	rather less - -	Equal.			
Merrywood - -	- - - -	about equal - -	ditto.			
Covey - - -	- - - -	more - - -	ditto.			
Pantrepant - -	- - - -	less - - -	Not so good	180	140	160
Wales - - -	- - - -	more - - -	Better.			
Lansquinet - -	- - - -	ditto - - -	Equal -	150	140	140
Potosi - - -	W. Thorpe - -	ditto - - -	Not so good	120	118	118
Peru - - -	- - - -	same - - -	Better -	70	55	80 at least.
Flontateel - -	- - - -	ditto - - -	Equal -	131	123	120
Schawfield - -	- - - -	less - - -	ditto.			
Pembroke - -	W. Miller - -	ditto - - -	Not so good confidently, if not more.	170	182	170
Cambridge - -	- - - -	ditto - - -	Equal.			
Belmont - -	- - - -	ditto - - -	Not so good	147	100	120
Linton Park - -	Watt - - -	ditto - - -	Better -	170	80	140
Forest - - -	- - - -	equal - - -	Not so good	188	130	120 or 130.
Gravesend - -	- - - -	less - - -	Not so good	48	40	40
Acton - - -	- - - -	more - - -	ditto -	44	52	50
Reserve - -	- - - -	equal - - -	ditto.			
Retreat - -	W. Donkin - -	less - - -	ditto - -	335	265	250
Hampstead - -	- - - -	ditto - - -	Equal -			
Garrada - -	- - - -	ditto - - -	Not so good	138	128	110
Golden Grove -	- - - -	more - - -	Equal -	160	145	145 160 if good season.
Tileston - -	W. Miller - -	equal - - -	ditto -	190	190	not so much.
Bounty Hall - -	- - - -	more - - -	ditto -	70	70	100

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Trelawny—*continued.*			
Dundee	- - -	more - - -	Better - 1834. 77 1835. 90 1836. 90
Gales Valley	- - -	ditto - - -	ditto - 195 165 165
York	- - -	less - - -	Not so good 187 155 140
Weston	- - -	ditto - - -	Equal - 173 137 137
Phœnix	- - -	ditto - - -	Not so good 132 127 127
Friendship	- - -	ditto - - -	ditto - 130 100 90
Wakefield	- - -	more - - -	ditto - 59 52 60
Bunker's Hill	- - -	less - - -	ditto - 90 60 80
Unity	- - -	A. Browne - -	ditto - ditto.
Dromilly	- -	- - -	ditto - Equal.
			Pryce's Report.
Hanover:			1834. 1835. 1836.
Chester	- -	- - -	less - - - Equal 132 110 110 or 120
Williamsfield	- -		
Prosper	- -		
Batchelor Hall	-	W. A. Grant, late a special justice	- - - - On all these estates planting is finished, but the clearing is not so forward as usual.
Richmond	- -		
Great Valley	- -		
Georgia	- -		
Haughton Court	-	W. Miller - -	- - - - Backward.
Orange Cove	- -	W. Gindon - -	gone to England.
Esher	- - -	Deans - - -	—
Fat Hog Quarter	-	F. H. James -	- - - - - - Planting finished; clearing backward.
New Retrieve	-	George Gordon -	- - - - Crops forward as usual.
Old Retrieve	- -	- ditto - -	- - - - - ditto.
Kew	- - -	M. Hutton - -	- - - - Plants all in, but not cleared.
Beans	- - -	Jackson - -	- - - - Plants all in and cleared.
Point	- - -	Hutton - -	- - - - - - Very forward indeed in all respects.
Lower Hopwell	-	W. Miller - -	- - - - Backward; weak handed estate.
			Hulme's Report.
Clarendon:			
Provos, Rock River		E. Thompson -	less - - - - - As forward; present crop short for want of water for mill.
Beckford's, Rock River		R. Jackson - -	more - - - In a state of great promise.
Retreat	- -	- ditto - -	ditto - - - - - ditto.
Hellit's	- - -	J. Macwilliam -	much less - - As forward as usual.
Front Hall	- -	W. Fearon - -	less - - - Very backward.
Mears	- - -	- ditto - -	ditto - - - - ditto.
Friendship	- -	Bn. Bernard -	rather less - - - In a state of great promise; 25 hhds. more exported this year.
Bryan's Hill	- -	M. Smith - -	- - - - Very good; new overseer just come.
Crawle River	- -	R. —— - -	nearly done - - Good.
Pindare Valley	-	J. W. Jumer -	- ditto - - Rather worse.
Lucky Valley	-	Miller - -	finished - - Very good.
Pindar's River	-	M'Pherson - -	not finished - - - ditto.
Ludlow	- - -	J. Poole - -	finished - - Rather worse.
Morgans	- - -	H. Oates - -	not finished - - As usual.
Orange River	-	W. Rose - -	- ditto - - Good.
Ballard's River	-	M'Pherson - -	- ditto - - Fair state.
Bryan's Hill	- -	Smith - - -	finished - - Good.
			Thos. Dillon's Report.
Denbigh	- -	H. Oates - -	almost finished; excellent crop. Very good.
Whitney	- -	Cowen - -	long finished - Never in a more prosperous state.
St. Fooliers	- -	Dr. Spalding -	not finished - Tolerable.
Mair Savanna	-	Townshend, prop.	finished; an excellent crop. Very good; never better.
St. Jago	- -	J. Gordon - -	excellent crop - Very good preparation.
Hope Hall	- -	H. Oates - -	nearly done; a fine crop Very good indeed.
Clarendon Park	-	J. Scott - -	finished; an excellent crop. Very good.
Parnassus	- -	Bernard - -	just done - - - - Very forward; cane field to be increased.
			Langrishe's Report.

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Clarendon—*continued.*			
Oaks	M'Leod	not finished	Falling off.
Mullett Hall	Th. Turner	nearly done	Very good.
Danks	W. Jackson	- ditto	Good.
Savoy	W. Fearon	- ditto	- - Ground clean; prospects very good.
Fountain	J. W. Turner	- ditto	Very good.
Kupuis	Rose	finished	Excellent.
Pennant	ditto	ditto	- ditto.
Mount Hindmost	M'Pherson	nearly finished	In excellent progress.
Ashley's	J. W. Turner	nearly done	As forward as usual.
New Ground	W. Fearon	- ditto	- - Twelve hogsheads less than this year, but 20 more this year than last.
Rose Hill	J. W. Turner	- ditto	Falling off.
Sutton's	Bernard	finished	- - Forty hogsheads addition expected next year.
Low Ground	Farquharson	ditto	Quite as forward as usual.

Haly's Report.

St. George's:			
Elysium	Johnson	not finished	One-third short.
Dover	J. H. Spenton, prop.	fair crop	Not so forward.
Buff Bay River	W. Hosack, prop.	not finished	- ditto.
Craig Mill	Dr. Robertson	not near finished	- ditto.
Fort Stewart	Joseph Gordon	nearly done	- ditto.
Gibraltar	A. Davis	- ditto	Not half so forward.
Golden Grove	R. Fairweather	not finished	Nearly as forward.
Gray's Inn	- ditto	- ditto	Nothing near as forward.
Hart Hill	J. Cockburn, prop.	going on	Rather better.
Iter Boreale	A. Gray	going on well	Not as forward.
Osborne's	J. Aughton	- ditto	Nearly as forward.
Windsor Castle	J. Rohan	going on	Not as forward.
Woodstock	J. Bell, proprietor	- ditto	The same as usual.

Fishbourn's Report.

P. S.—This was Lieut. White's district, and appears the most backward in the Island; a proof of the incorrectness of their address to him, thanking him for the happy state of the parish.

St. Mary's:			
Kildare	Ann Davis	less this year	- - Very backward; Lt. White's late residence.
Shibo	Cargill, proprietor	not finished	One-third less next year.
Paradise	Oldham	- ditto	Next year's crop average.
Shrewsbury	Cog	- ditto	No deficiency.
Mount Pleasant	Oldham	- ditto	A very small deficiency.
Whydagh	ditto	- ditto	One-third deficiency.
Spring Garden	ditto	- ditto	- - Very good indeed; a great increase.
Hermitage	ditto	- ditto	Small deficiency.
Hope	Gibson, tenant	- ditto.	
Eden	Hall, proprietor	- ditto.	
By Cross	King, proprietor	- ditto	Will fall off one-third.

Wm. Hewitt's Report.

Captain *Gillum*'s Report: All coffee; good prospects.

St. George:			
Low Layton	Mr. Sprawle	- - - -	- - Not so forward, as all hands and attention has been turned to the present crop.
Lemox	- - - -	- - - -	Not so forward.
Caenwood	- - - -	- - - -	- ditto.

Hewitt's Report.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
ST. DOROTHY'S:			
Kelly	Mr. Willett	nearly done	Very backward, (my own estate; not true).
Whim	Mr. Hamelford	ditto	ditto.
Lodge	Mr. Turner	finished; immense crop.	ditto (Mr. Turner reports differently.)
Nightingale Grove	Mr. Hamilton	not finished	ditto.
Cherry Garden	M. M. Coap	ditto	Extremely backward.
Amity Hall	Mr. Blair	ditto	ditto.
Bushy Park	M. J. Gordon	ditto	Very backward.
Cocoa Walk	M. Willett	finished	ditto (my own; not true).
Marter's	M. Jackson	not finished	ditto.
Woodhall	Mr. M'William	finished	ditto.
Colbecks	Mr. Junis	not finished	ditto.
Seven Plantations	M. M'Kenzie	ditto	ditto.
Chateau	M'Pherson	ditto	ditto.
Longeville	Mr. Turner	finished	ditto.
			Macleod's Report.
VERE:			
Ashley Hall	Mr. Devell	finished	More forward, and negroes doing very well.
Gibbon	M. M'Gurnet	large crop; almost finished.	More forward.
Raymond	Mr. Sconce	finished	ditto.
Hill Side	J. Turner	ditto; larger crop	Estate in better order.
Stratton Hall	A. Johnson	ditto	Far better; expects 36 hds. extra.
Brazilletto	J. W. Turner	finished; large crop	Never more advanced.
Moreland	James Gordon	not finished	As far advanced as usual.
Bog	E. M'Pherson	large crop; not finished.	Backward on account of large present crop.
Perring's	Stirk	finished	As far advanced as possible.
Chesterfield	C. Sconie	not finished	Same as usual.
Sutton's Pastures	H. Bernard	finished	More forward than last year.
Money Musk	W. M. Lewis	finished; large crop	Estate in best possible order.
Greenwich	Ch. Sconce	not finished	As forward as last year.
Carlisle	D. Callaghan	finished	As far advanced as possible.
Harmony Hall	L. M'Kennis	ditto	One month more forward than last year.
Knight's	Murray	ditto	Quite as forward as last year.
Paradise	C. Wilson	ditto - greater crop than average.	Much more forward than last year.
Exeter	Mr. Sconce	finished	Far more advanced.
Old Yarmouth	G. P. Purnell	not finished	Backward, from want of seasons.
New Yarmouth	Thomas Ringer	ditto - greater crop.	ditto - but will equal this year's crop.
Dunkley's	H. Coates	not finished	As far advanced as last year's.
Bowen Hall	Ch. Sconce	finished	As far advanced as any year.
Amity Hall	E. M'Pherson	not finished	As forward as last year.
Salt Savanna	J. Jones	ditto	ditto.
Pusey Hall	J. Melmoth	ditto	ditto.
Springfield	Menchison	ditto	ditto.
Caswell Hill	Mr. Devell	ditto	Not so forward, from this year's large crop.
Dry River	J. Turner	finished	Quite as forward as last year.
River Side	M. Sparth	not finished	ditto.
			Nolan's Report.
ST. DAVID:			
Friendship Retreat	Mr. Strong, proprietor.		Better prospects of coffee crop than last year.
New Battle	M. Rehailes, overseer.		Expects 10,000 lbs. more coffee next year.
Ayton	M. Kelly, overseer		Expects better coffee crop next year.
Sheffield	Mr. Gully, overseer		ditto.
Ultimatum	Mr. O'Reilly		Expects considerable better coffee crop.
Friendship Hall	B. de Kyng, prop.		ditto.
Carrick Hill	Gihos, proprietor		Fields in as good order as last year.
Sherwood Forest	Murray		ditto.
Minto	Mr. Law, overseer		Rather backward, 10 hands having been taken away.

(*continued*)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. David—*continued.*			
The Grove	M. Hall, overseer		Not so forward.
May Hall	Henry, overseer		Hardly at all more backward.
Morha	Swan		As forward, all but pruning.
Clifton	Duncan		As forward as last year.
Mount Pleasant	Chinington		- - Not so forward, this crop being so great.
Radnor	Baugh		- - As forward for next year; this crop great.
Cocoa Walk	Carmichael		- - Sugar canes as far forward as last year.
Mount Sinai	Cosh		Not so forward.
Norris	M. Martin		30 hds. more next year of sugar.
Æolus Valley	M'Pherson		- - Quite as much sugar next year as this.
Lloyd's	M'Ferron		- - Not so forward for next year as this.
Windsor Castle	Robertson, overseer		- - Will make much larger crop coffee.
Albion	M'Pherson		- - Will make 50 hhds. more next year.
Richmond	M. Lamie		- - As good as last year, quite; sugar.
Woburn Lawn	Baily, proprietor		Much larger crop.
River Head	Hughes		- - Made double this year; will increase more next.
Windsor Forest	Turner		Excellent prospects.
Bell Clare	M. Wright		More forward than last year's.
Fair Prospect	Josephs		- - Fields just now backward, but expects to make up lost time.
Arntully	Mr. Rae		- - Will make 7,000 lbs. more coffee next year.
Manheim	Mr. Wiles		- - Expects much better crop next year.
Hermitage	Morrisson		- - ditto.
			Dunne's Report.
St. John's:			
Belmont	M'William	finished	Backward.
Clifford's	W. Coleman	going on	Very backward.
Fuller's Rest	J. Cockburn	finished	As usual, the progress made.
Lloyd's	J. Blair	going on	Progress as usual.
Mountain River	J. W. Turner	ditto	Forward.
Retreat	D. Hamilton	ditto	Rather forward.
Spring Vale	J. W. Turner	ditto	Unusually forward.
Water Mount	J. Blair	ditto	Rather forward.
			E. D. Bayne's Report.
St. Thomas in the Vale:			
Spring Farm	Godfrey	over	- - Very nearly as forward as last year.
Spring Field	Hugh M'Kay	not finished	Quite as forward as last year.
Golden Grove	G. Marshall	- ditto	Not half as forward.
Retirement	Mr. Ano	over	Not so well prepared.
Retreat	Rosseter	not finished	As forward as last year.
Louisiana	Madden	- ditto	- ditto.
Muse	D. M'Intosh	over	Not so forward.
Rio Magno	C. Gordon	- ditto	- ditto.
Mount Pleasant	W. Worge	- ditto	- ditto.
Mount Olive	A. Geddes	not over	- ditto.
Knollis	Mr. Macleod	ditto	Nearly as forward.
Dove Hall	Edwards	ditto	As forward as last year.
Harker's Hall	H. Stephens	over	Not so forward.
Golden River	J. Gorden	ditto	As forwurd as last year.
Springfield	Mrs. Askew	ditto	- ditto.
Mount Mathews	Mr. Bicknell	ditto	Better prepared than last year.
Mount Concord	Mr. Mignett	ditto	As well prepared.
Glengoff	Reynolds	ditto	- ditto.
Berwick	Ch. Gordon	not over	Not so well prepared.
Mount Industry	R. H. Shets	over	As forward.
Hopewell	R. Page	ditto	Not so forward.
Cain Castle	W. Palmer	ditto	As forward.
			Jones's Report.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
ST. JAMES:			
Bellfield	John Glass	finished	Better crop expected.
Chatham	Robertson	not finished; made more than last year.	No decrease expected.
Barrett Hall	R. Barrett	not finished	40 hhds. less expected.
Carlton Estate	Robert Crow	not yet	No decrease expected.
Content	ditto	nearly finished	Increase expected.
Lima	George Gordon	not finished	A little falling off expected.
Dumfries	James Dunstone	nearly finished	No decrease expected.
Adelphi	J. V. Purrier	finished.	
Virgin Valley	A. M'Kenzie	ditto	Large increase expected.
Canaan	W. Carey	-	No falling off expected.
Castle Wemys	W. Reeves	near finished	ditto.
Hampden	L. Hislop	not finished	ditto.
			Cocking's Report.
Belvidere	C. Hine	-	Nothing done towards next crop.
Hazelymyh	H. Groves	-	ditto.
Wiltshire	James Fenton	greater crop than last year.	No report as to prospects.
Lethe	F. H. Gore, overs.	-	Future cultivation abandoned.
Lod Hall	Jas. Forrest, overs.	-	Very far behind.
Copre	J. Jackson, overs.	-	Much behindhand.
Eden	Mr. Philips, overs.	-	This gentleman has given me no remarks.
Childermas	Thos. Box, overs.	-	No report as to prospect.
Content	H. Morhetts, overs.	greater crop this year, in same time, than last.	
Alexandria	J. Fenton, overseer	-	One-third less planted and hoed.
Silver Grove	J. Penny, overseer	-	Preparation for next year.
Golden Grove	A. Gruder	-	No report of future prospects.
Chester Castle	C. H. Hopkins	-	No preparations for next year.
Montpelier	Hon. W. Miller	-	No report of future prospects.
Anchovy	Mr. Plummer	-	Far behindhand.
			Mr. *Farra*'s Report.
Running Gut	Mr. Crow	-	Field labour just beginning.
Rosehall	-	-	Rather, but not materially behind.
Cinnamon Hill	M. S. M. Barrett	-	Not much behindhand.
Cornwall	S. M. Barrett	-	Never a better appearance, though a little behind.
Palmyra	Miller	-	Much behind; overseer refuses to give information.
Shot Valley	Grignon	-	Much behind; overseer refuses to give information.
Lilliput	Deen	-	ditto - ditto - ditto - very weak handed.
Success	Cresar	-	Very much behind, and weak handed.
Easthams	Gray	-	ditto.
Tryall	O'Connor	-	Rather behind.
Spring	Mr. R. Barrett	-	Much behind, but now getting on.
Constance Islop	Hudd	-	Rather behind, but now getting on rapidly.
Moore Park	George Gordon	-	Not at all behindhand.
Windsor Lodge	ditto	20 more hds. made this year.	Work well advanced.
Glasgow	ditto	-	More than last year.
Paisley	ditto	-	Rather behindhand.
Millenium	Gibbes	over	ditto.
Providence	E. Smith	large crop	Not behindhand.
Crawle	H. W. Miller	ditto	ditto.
Kirkpatric Hall	O'Connor	larger crop	Much behind.
Flower Hill	M. Coyn	-	Behind, certainly, but works well.
Bluchole	George Gordon	-	ditto.
Leogan	Hislop	-	Behindhand, but working well.
Hartfield	-	-	No report as to prospects.
			Mr. *Finlayson*'s Report.

(*continued*)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
WESTMORLAND:			
Albany	J. Tate	finished	Half as forward as last year.
Belleisle	H. Storer	ditto	Nearly as forward.
Canaan	Carey	ditto	One-third behindhand.
Delve	J. H. James	ditto	ditto.
Fontabelle	George Kirlew	ditto	Quite as forward as last year.
Froome	H. Storer	ditto	Nearly as forward.
Geneva	George Sherlew	ditto	Not so forward.
Glasgow	J. Macreath	ditto	Nearly as forward.
Hope	Thomas Tate	ditto	Half as forward.
King's Valley	J. H. James	not finished	Not so forward.
Lincoln	Thomas M'Neil	finished	Not half so forward.
Masemure	ditto	ditto	Not so forward.
Mint	ditto	ditto	ditto.
Maylersfield	C. Smith	ditto	One-third as forward.
Mount Eagle	J. S. Williams	ditto	Not so forward.
Negril Spots	J. Samuel, prop.	ditto	ditto.
Paul Island	George Gordon	ditto	Very nearly as forward.
Retreat	Thomas M'Neil	ditto	Not as forward.
Retrieve	Thomas Tate	ditto	Half as forward.
Ridgland	George Kerritt	ditto	Quite as forward.
Spring Garden	Thomas M'Neil	ditto	One-third behind.
			L. D. Philps's Report.
Windsor Forest	George Sherlew	finished	Quite as forward.
Lennox	H. Scott	ditto	Quite as forward; very promising.
Bog Estates	Mr. Tate	not finished.	
			Edwards's Report.
ST. THOMAS IN THE EAST:			
Coley Estate	Drew, overseer		Quite as forward.
Serge Island	Elmslie, proprietor		Not quite as forward; but last year jobbers; this year none.
Garbrand Hall	W. Nangle, overs.		Influenza for a month; no jobbers now; as forward.
Buckingham	J. Palmer, overseer		Rather backward, from dry weather; but will finish in time.
Blue Mountain	Sprowl, overseer		Very forward, except with cane plants, from drought.
Mount Pleasant	Norhell, proprietor		Much more forward. Mr. Norhell has been away for six weeks in the Windward Islands, leaving this estate in charge of the black driver.
Hall Head			More forward under black driver.
Petersfield	Mr. Grossett		Very backward.
Middleland	J. Forsyth	finished	Forward; almost 40 acres canes planted.
Spring Garden	Ch. Scott	backward	Backward; all apprentices in hospital.
Golden Valley	A. Barclay		Tolerably forward; would have been much more so but for the epidemic.
White Hall	C. O. Hodgson	finished	As forward, if not more so.
Spring	C. Anderson	ditto	Quite neglected; in Chancery.
Hughton Hall	Codington	nearly done	Quite as forward as ever.
Greensmith	George Wright	done	Canes quite as forward.
			Lyons's Report.
Stoakes' Hall	Sprowle	done	Quite as forward.
Pleasant Hill	Loaque	ditto	About 20 hhds. less next year.
Barking Lodge	Forsyth	nearly done	Nearly as forward.
Harbour Head	H. Mitchell	ditto	Will make much more next year.
Chiswick	Forcythe	ditto	Will fall short about 25 hhds.
Old and New Peru	Ch. Scott	ditto	Nearly as forward.
Bowden	Forcythe	ditto	ditto.
			Major *Baine*'s Report.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Thomas in the East—*continued.*			
Mulatto River	John Ross	not over	Two months behind.
Elmwood	- - - -	ditto	
Fair Prospect	J. Macwilliam	ditto	Just as forward as before.
Sion Hill	J. P. Jones	ditto	- - ditto.
Fairy Hill	W. Wylie	ditto	- - ditto.
Boston	George Jones	ditto	- - ditto.
Castle Comfort	R. Hemmings	ditto	- - Four months behind; overseer just dismissed by Chancery order.
Hartford	W. J. Jones	ditto	Backward.
Reach	James Heeps	ditto	Quite as forward as last year.
Spring Valley	J. L. Gam	ditto	Three months behindhand.
Windsor Castle	J. M'William	ditto	- - ditto.
Muirtown	J. Tolman	ditto	- - ditto.
Haines	J. Cargell	ditto	More forward.
Hector's River	J. M'William	ditto	Quite as far advanced.
Orange Hill	A. M'Kowan	ditto	More forward.
Providence	J. M'William	ditto	Rather backward.
Nore Garden	J. Panton	ditto	Refused information.
Wey Bridge	C. Anderson	ditto	Three months behindhand.
Rural Vale	K. W. Speed, proprietor.	ditto	- - Refused information, but known to be doing well.
Williamsfield	J. Cockburn	ditto	Much the same.
Betty's Hope	- - - -	ditto	Three months behind.
Ege Hill	W. B. Kery, prop.	ditto	To be altogether abandoned.
			Dawson's Report.
Wheelersfield	Ch. Scott	not finished	Canes not so well cleaned.
Hardley	- ditto	- ditto	Canes not moulded.
Amity Hall	- - -	nearly over	Behind, but will make it up.
Holland	M. Cooper	not finished	- - Gang building houses for emigrants.
Duckenfield	Ch. Scott	- ditto	Canes behindhand in cleaning.
Golden Grove	A. Barclay	- ditto	Two mills going.
Winchester	- - -	- ditto	Young canes pretty forward.
Plantain Garden	A. Barclay	- ditto	Field labour backward.
Rhine	- ditto	- ditto	- - Rather backward, but looking very well.
			H. Blake's Report.
London Hill and St. George.	Mr. Brydon	- - -	- - Pens in as good a state as before.
Prospect Hill	- - -	- - -	More forward than usual.
Roselle	G. Rutherford	nearly finished	Rather behindhand.
Belvidere	- - -	- ditto	- ditto.
Morant	P. Brown	- ditto.	
Stanton	J. Blakely	- ditto	A little behindhand.
Pembroke Hall	- ditto	- ditto	- ditto.
Nutt's River	J. M'William	- ditto	Quite as forward.
Montpelier	J. Blakely	- ditto	Not quite as forward.
Lypons	J. W. Cooper	- ditto	- ditto.
Retreat	C. Scott	- ditto	- ditto.
Oxford	- ditto	- ditto	Quite as forward.
East Prospect	J. Blakely	- ditto	Not quite as forward.
			Eveleigh's Report.
St. Mary's:			
Pemberton Valley	Hen. Miller	not finished	Not at all backward.
Union	Mr. Blair	- ditto	- ditto.
Greenwood	Mr. Mechanan	- ditto	- ditto.
Crescent	Mr. Gordon	- ditto	- ditto.
Roslin	Mr. Stewart	- ditto	- ditto.
Fontabelle	Mr. Mais	- ditto	- - Backward; manager just changed.
Fellowship Hall	Mr. Geddy	- ditto	Not at all backward.
Preston	Mr. Forsythe	- ditto	- ditto.
Oxford	— Macdonald	- ditto	- ditto.
Brimmer Hall	Mr. Stewart	- ditto	- ditto.
Tryall	Mr. Stewart	- ditto	- ditto.
			Marlton's Report.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Mary's—*continued.*			
Derry	Mr. Bowen	going on	Very well advanced.
Dorrington Castle	Mr. Oldham	ditto	Promises very well.
Decoy	ditto	ditto	ditto.
Pembroke Hall	Mr. Blair	ditto	ditto.
Bagnall Spring	J. Bagnall	ditto	ditto.
Lambskin Hill	ditto	ditto	ditto.
Rupel Hall	Mr. Bell	ditto	No complaint.
Gall			Refused any information.
Industry	Hon. H. Cox	ditto	Promises very well.
Cardiff	J. Cockburn	ditto	ditto.
Warwick Castle	J. H. Sames	ditto	Not so well as the other estates.
Halifax	Hon. A. Hodson	ditto	Promising tolerably well.
Spring Garden	Hon. H. Cox	ditto	A few complaints, but on the whole well.
Gordon Castle	Mr. Geddes	ditto	Well advanced.
Lucky Hill	ditto	ditto	No fear with seasons.

H. Walch's Report.

St. Thomas in Vale:			
Rose Hall	Lowndes, attor.	finished	Forward as to cultivation.
New Works	ditto	ditto	In fair good order.
Wallens	ditto	ditto	Very good state of forwardness.
Dover Castle	Lendo, overseer.	ditto	Very forward as to cultivation.
Enfield	Aris, proprietor	ditto	Very good order.
Berkshire Hall	Gould, attorney	ditto	Tolerably forward.
By Crosk	Roach, overseer	ditto	Backward in cleaning canes.
Shenton	Rice, overseer	not finished	Middling forward, not much.
Palm	Anderson, overseer	finished	Backward.
Treadwarys	J. T. Bernard	ditto.	
Byndloss	Mr. Ross, prop.		Very good prospects.
Stirling Castle	Mr. Kenneard		Excellent state for next year.

Five other coffee plantations; all in excellent order.

Thomas Baynes's Report.

St. Andrew's:			
Airy Castle, sugar	R. Gregson, overseer.	not over	As forward as last year, or year before.
Belbair, coffee	J. Mais, attorney		In better order than for some years.
Bardowich, coffee	J. Landwish		Behindhand.
Belview, coffee	J. Cockburne, prop.		No change.
Constant Spring, sug.	J. Cargill, proprietor.	not over	As forward as ever before at same time.
Campbell's Industry, coffee.	James Clarke, overseer.		Got forward by jobbers.
Cedar Valley, pepper and coffee.	J. Cockburn, attorney.		Better than ever; great increase expected.
Cooper Hill, coffee and pepper.	J. Forbes, overseer		Pen property, but improving.
Fair Hill, coffee	J. Mason		Quite as forward, and in as good order.
Golden Spring, sug.	D. Sutherland, lessee	over	Behindhand.
Hall Grove, coffee	J. Mais, attorney		Behindhand.
Happy Grove, coffee	C. Brown, prop.		Same as all preceding years.
Healthy Valley, pepper and coffee.	J. Brian, proprietor		In much better state.
Hermitage, coffee	D. Fraser, overseer		Behindhand.
Joppa and Keith Hall, coffee.	C. M. Jopp, proprietor		Extensive properties, in good order.
Rowesly, coffee	J. Gilbert, overseer		Just the same as former years.
Mullett Hall, coffee	J. Shaw, overseer		Eight acres, new ground; a great increase.
Mountpelier, coffee	D. M. Neeledge		Great increase, in a better state.
Moresham, coffee	J. Lundie, prop.		Just purchased; without any gang, but progressing.
Mount Prospect	William Willing, overseer.		As well as at same time in the last two years.
Mount Prospect, cof.	J. Shaw, overseer		Backward.
Prospect (Spalding), coffee.	D. R. Spalding, proprietor.		Doing well; gang just brought from Platfield.
Prospect (Gates), cof.	S. Robertson, overs.		Backward.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Andrew's—*continued.*			
Mount Dahins, cof.	L. Desgets, lessee	- - - -	Improving since let.
Mount James, coffee	W. Gregory, overseer.	- - - -	- - Backward; gang have too far to go to work.
Mount Mores -	C. Marshall, prop.	- - - -	Backward; weak gang.
Mount Atlas, coffee	Mr. Rea, proprietor	- - - -	A new purchase; doing well.
Mount Woolfing, do.	R. L. Woolfing, proprietor.	- - - -	A new purchase.
Mount Belmore, do.	J. Negunct, overseer	- - - -	Ditto; likely to do well.
Rosemount, coffee -	W. Hughes, prop.	- - - -	Cultivation of provisions chiefly.
Swain Spring -	C. Satchell, prop. -	- - - -	Same as in all previous years.
Salisbury Plain, cof.	J. Lyon, overseer -	- - - -	Better than two last years.
Temple Hall, sugar	W. Chigslie, prop.	crop over - -	- - Increase expected; excellent order.
			Lloyd's Report.
St. George:			
Low Layton - -	M. Spooner -	not finished - -	- - Excellent managed estate; fully equal.
Rodney Hall - -	Passley - -	- ditto - -	Backward.
Spring Garden -	R. Swire, attorney	- ditto - -	- - Cultivation forward, but shy of giving any information.
Caen Wood - -	— Oldham, prop. -	- ditto - -	- - Much greater crop next year; all a garden.
Lenox - - -	— Oldham - -	- ditto - -	- - Considerably greater than this year.
			Hewitt's Report.
Hanover:			
Musquito Cove -	C. O'Conner -	- - - -	Plantation now cleaning.
Barbican - -	W. Hutton - -	- - - -	Plant not finished.
Blue Hole - -	W. Thorpe, prop.	- - - -	Plants on and cleaned.
Tryall - - -	W. Gordon - -	- - - -	Less plant in.
Flint River - -	J. Jackson - -	- - - -	- - Crop forward, all cleaned and plant over.
Orchard - -	Mr. Power, prop. -	- - - -	- - Plants done, two acres short; now cleaning.
Bamboo - -	R. Chambers -	- - - -	- - Plants done, but small quantity; canes very foul; crop not yet over.
Upper Hopewell -	W. Morshell -	- - - -	Less plant on, but nearly done.
Round Hill - -	A. Glen - -	not over - -	- - Cane pieces foul, but not very; plants put in.
New Mill - -	W. Gordon - -	- - - -	- - Two acres less plant, but over; canes foul.
Haddington - -	H. W. Pumer, prop.	- - - -	Plant on, but less; canes foul.
Welcome - -	- ditto - -	not over - -	- - Plants done and cleaned twice; ratoons foul.
Magotty - -	Mr. Deans - -	- - - -	- - Much less plant; canes foul; part cleaned.
Releys - - -	W. Gordon - -	- - - -	- - Less plant in; only half canes cleaned.
Eaton - - -	Mr. Deans - -	- - - -	- ditto ditto.
			Hulme's Report.
St. Thomas, Vale:			
Tulloch - -	G. W. Hamilton -	crop over - -	- - Much better crop expected next year.
West Prospect -	R. Hobles - -	not over - -	- - As well prepared as other years.
Hyde - - -	G. W. Hamilton -	crop over - -	- ditto ditto.
Ginger Hall - -	Col. Page - -	- ditto - -	- ditto ditto.
Williamfield - -	G. W. Hamilton -	- ditto - -	- ditto ditto.
New Port - -	— Dunn, attorney	- ditto - -	Expect better crop than usual.
Top Hill - -	— Elliott, proprietor	- ditto - -	As well prepared.
			Jones's Report.
Thelford - -	J. Cockburn -	not over - -	- - Cultivation for next year excellent.
Swansea - -	Mr. Grove, overseer	- ditto - -	Not very forward.

(*continued*)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
St. Thomas, Vale—*continued.*			
Worthy Park -	S. Blair - -	not over - -	- - Backward, from immense crop this year.
Swansea, coffee -	Williams - -	over - - -	Tolerably forward.
Blue Mountain, cof.	- ditto - -	ditto - - -	Backward.
Lemon Bridge -	Edbury - -	ditto - - -	Very fair.
St. Clair - -	Tomlinson - -	ditto - - -	In a good state.
River Head - -	Anderson - -	ditto - - -	- - Backward; 20 acres more planted.
			T. Baynes's Report.
Westmorland:			
Blue Castle - -	Thomas Macneel -	ditto - - -	- - Owing to drought plants backward.
Petersfield - -	- ditto - -	ditto - - -	- - 10 acres more planted; appearances good.
Shrewsbury - -	- ditto - -	ditto - - -	- - Appearances excellent; good management; made the largest crop in the parish.
Greenwich - -	- ditto - -	ditto - - -	- - Owing to drought plants backward, but ratoons excellent.
Prospect - -	George Sherbra -	ditto - - -	In tolerable order.
Roaring River -	- ditto - -	ditto - - -	- - Less plant, but prospects favourable.
Fort William - -	- ditto - -	ditto - - -	- ditto ditto.
Black Ness - -	Thomas Glen -	over very early -	Plant backward, from drought.
Three Mile River -	- ditto - -	- ditto - -	- - Less plant and backward, owing to drought.
Cornwall - -	Robertson and Redgood.	not over - -	- - Plant backward, owing to drought, but has been three times ploughed.
Dean's Valley Dry Works.	- ditto - -	ditto - - -	Backward.
Mesopotamia -	- ditto - -	over - - -	- - Rather less canes, but looking very well.
Cardwind - -	J. S. Williams -	ditto - - -	- - Less plant and backward, owing to drought.
Bath - - -	Robert Locke -	ditto - - -	Canes all cleaned.
Dean's Valley Water Works.	J. H. Samo, proprietor.	ditto - - -	- - 12 acres more plant, but backward, from drought.
			Thomas Oliver's Report.
St. Andrew's:			
Water House -	R. Mein - -	over - - -	Quite as forward as before.
Mauerty - -	M. Huges, overseer	ditto - - -	- ditto.
Molynes - -	J. Dundas, overseer	not over - -	- ditto.
Pembroke Hall -	J. Mauder - -	over - - -	- ditto.
Barbican - -	J. Gordon - -	not over - -	- - Getting out of cane cultivation for some time.
Hope - - -	Rich. Banett -	ditto - - -	- - More advanced these last years.
Papeiri - -	J. Layton, overseer	over - - -	Very forward.
Mona - - -	J. Copeland, overs.	ditto - - -	Backward.
Hall's Delight -	A. Dogherty -	not over - -	- - More produce expected next year.
Cherry Garden -	J. Gordon - -	over - - -	- - Backward, as gang have been working elsewhere.
Narbrook - -	J. Williams - -	not over - -	Forward.
			Fitzgerald's Report.
Westmorland:			
Camp Savanna -	A. Fraser - -	over - - -	Quite as forward as last year.
Midgham - -	Thomas M'Neel -	ditto - - -	Not quite so forward.
Moreland - -	- ditto - -	ditto - - -	Quite as forward as usual.
Nonpareil - -	James Deanes -	ditto - - -	- ditto.
Springfield - -	J. Gordon - -	ditto - - -	Nearly as forward.
			Philps's Report.

Names fo Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
CLARENDON:			
Leicesterfield	W. V. Fearon	over	- - Excellent prospects; good management.
Retreat	W. Jackson	almost over	Canes in perfect order.
Old Plantation	J. S. Bunad	just over; immense	Prospects excellent.
			Haley's Report.
HANOVER:			
Orange Bay	J. Deans	over	- - Rather backward, but excellent prospects.
Bell River	G. Gordon	ditto	Backward; overseer discharged.
New Paradise	- ditto	ditto	Not as forward as usual.
Cambleton	- ditto	ditto	As good as usual.
Green River	J. L. Glen	ditto	Not as forward as usual.
New Found River	- ditto	ditto	Usual prospects.
Mount Pleasant	J. Deans	ditto	Well advanced.
Eardley	A. Grant	ditto	Backward.
Harding Hall	J. B. Attwood	ditto	Quite as forward as usual.
Industry	J. Campbell	ditto	Backward.
Caldwal	W. A. Dickson	ditto	- - Plants done, rattoons much better.
Cessnock	J. M. Creath	ditto	Quite as usual.
			Odell's Report.
TRELAWNY:			
Windsor Castle	— Townsend	over	- - Small property, but as good as usual.
Lysworney	W. Fraser	not over	As forward as usual.
Friendship	— Fowler	ditto	Backward.
			Hawkins's Report.
ST. THOMAS IN THE EAST:			
Georgia	C. Scott	- -	Backward.
Mount Libanus	C. Crockett	- -	Rather backward.
Potosi	M. J. Macqueen	not over	- - Canes all moulded, and crop forward.
Friendship	Ganivish Barkley	ditto	Quite as good as this year.
Sunning Hill	W. Forsyth	over	- - In a forward state for next year.
Aumont	A. Barclay	not over	- - Canes backward, but equal crop expected.
Arcadia	D. Loague	ditto	Backward.
Home Hall, coffee	M. G. Hallyburton	- -	- - Making extensive preparations.
Roaring River, coffee	A. Dysdale	- -	- - 17 apprentices ill, and some been so for a month; they are therefore backward.
			H. Blake's Report.
Phillipsfield	M. J. Moule	not over	Expect quite an equal crop.
Clifton Hill	C. Scott	ditto	Backward for next year.
Leith Hall	G. Taylor	ditto	- - Smaller crop expected next year.
Cardiff	- ditto	ditto	- ditto ditto.
			Baines's Report.
PORT ROYAL:			
Chester Vale	D. Spalding	over	Rather behind in pruning.
Clydesdale	Dickens	ditto	- - ditto.
Industry	- - -	ditto	Pruning going on.
Resource	- ditto	nearly in	Rather behind in pruning.
Pleasant Hill	Christie and Taylor	ditto	- - ditto.
Mount Hybla	Simpson	ditto	Pruning not commenced.
Hall's Delight	- ditto	ditto	- - Rather behind in pruning and hoeing.
Mount Faraway	Joseph Gordon	ditto	- - ditto.
Old England	- ditto	ditto	- - ditto.

(*continued*)

JAMAICA.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
Port Royal—*continued.*			
Robertsfield	Christie & Taylor	great crop; nearly done.	Rather behind in pruning.
Green Valley	ditto	over	Pruning going on.
Strawberry Hill	Cohen	just over; great crop	Rather behind.
Mount Jerriot	Wiles	nearly over	ditto.
Bryant's Hill	Wales, lessee	ditto	ditto.
Sheldon	Christie & Taylor	over	Pruning going on.
Pengin Castle	Mais	nearly over	ditto.
Farm Hill	H. Mitchell	over	Pruning as usual.
Hibernia	J. Gordon	nearly over	Pruning going on.
Whitfield Hall	Holl & Stamp	ditto	Made 15,000 lbs. more this year than last; backward.
Abbey Green	Thompson	not over	Behindhand.
Epping Farm	Ellen & Scott	ditto	Pruning going on well.
Windsor Lodge	Williamson	over	Forwarder than usual.
Mahogany Vale	C. Jackson	over; good crop	Going on busily.
Mount Charles	J. Wright	ditto	ditto.
Orchard	J. Gordon	over	17,000 lbs. more than last year; all hands busy.
Penhill	ditto	ditto	10,000 lbs. more this year; all hands busy.
Westphalia	Mais	ditto	10,000 lbs. more this year; all hands busy.
Bemah	Gilhoy	ditto	Double crop this year; all hands busy.
			Captain *Kent*'s Report.
ST. ELIZABETH:			
Oxford	D. Robertson	large crop	Rather behind as to ratoons; plants in.
Bagdale	— Smith, esq.		Will make three times more sugar than this year; very forward indeed.
Vauxhall	D. Robertson		Much more plant, and much better prospects than last year.
Breadnut Valley	R. Knott		Quite as forward as last year.
Biscany	H. R. Wallace		Much larger crop put in, through plough.
			Bell's Report.
PORTLAND:			
Passdey Garden	Jones, lessee	not over	Very good appearances for next year.
Burlington	Gladwish	ditto	Greatly improving this year.
Unity Valley	Heming	ditto	Backward.
Snow Hill	Stewart		Grazing farm; good order.
Park Mount	Steel, proprietor	pimento; over	Very great prospects.
Cambridge	Thompson, overseer	not over	In Chancery; much neglected, and very backward.
			Macgregor's Report.
ST. MARY'S:			
Agualta	J. Oldham		Rather backward.
Bellefield	A. Barclay		Very backward.
Islington	J. Hoseason		Pretty forward.
Friendship	W. Herlot		Backward.
White Hall	J. Gordon		Very backward.
Heywood Hall	John Gray		Pretty forward.
Llandromney	Thomas Capper		Quite as forward as usual.
Quebec	John Wighton		Very backward.
Frontier	A. Gauld		Very fairly forward.
Green Castle	J. Blair		Very backward.
Newry	ditto		ditto.
Ballard's Valley	R. Fairweather		Very nearly as forward as ever.
Nonsuch	ditto		Pretty forward.
Orange Hill	J. Oldham		Very fairly forward.
Tremdesworth	J. Cockburn		Backward.
			Thomas's Report.

Names of Estates.	Attornies.	Present Crop.	Prospect of Future Crop.
WESTMORLAND:			
Saxham	A. Davis	over	Rather backward.
Blenheim	George Gordon	ditto	Preparations not a week behind.
Cousine Cove	R. Hughes, overseer	ditto	- - ditto, if so much.
Haughton Town	J. Chisholm	ditto	Behind.
Phœnix	W. Thorp	ditto	Rather behind.
Grange	J. Deans	ditto	- - Fully as forward as its neighbours, but rather backward.
Prospect	Thomas M'Neil, proprietor.	ditto	- - Backward, owing to bad overseer, who has been just discharged.
Salt Spring	P. A. Scarlett	ditto	- - Quite forward, but many canes destroyed by rats, which have been this year a perfect visitation in Hanover.
Spring	Hon. C. J. Jackson	ditto	As forward as usual.
Woodchurch	J. H. James	ditto	Backward.
			Odell's Report.
ST. MARY'S:			
Carlton	R. Helworthy	not over	Very backward.
Water Valley	R. Hamilton	ditto	Rather backward.
Llongley	A. Davis	ditto	Very backward.
Ester	J. Oldham	ditto	- - Prospects good, though rather backward.
Cromwell	R. Fairweather	ditto	Pretty forward.
Aleppo	- ditto	ditto	- ditto.
Charlottenburg	E. Thomas	ditto	- ditto.
Koningsberg	A. Barclay	ditto	Very backward.
Nutfield	J. Blair	ditto	Rather backward.
Albany	R. Fyfe	ditto	Backward.
Marshall	J. Miller	ditto	Very backward.
			R. Thomas's Report.
Hazzard	J. Oldham	not over	Promises very well.
Mango Valley	- ditto	ditto	As well as usual.
Huddersfield	- - - -	ditto	Excellent prospects.
Spring Valley	J. Cockburn	ditto	- ditto.
Tower Hill	Hon. A. Hodson	ditto	- ditto.
Epping	- - - -	ditto	- ditto.
			Walch's Report.
Rose Hill, coffee	Graham, overseer	going on	Prospects of great abundance.
Snailyard, ditto	Greenwood, ditto	ditto	- - ditto.
Woodside, ditto	M. Nelson, prop.	ditto	- - ditto.
Newport, ditto	Thompson, ditto	ditto	- - ditto.
Platfield, ditto	A. Lacey, ditto	ditto	- - ditto.
Mount Patience, ditto	— Rogers, ditto	ditto	- - ditto.
Dee Side, ditto	— Wat, ditto	ditto	- - ditto.
Sue Rive, ditto	— Crubie, ditto	ditto	- - ditto.
Wye Hill, ditto	— Ladlen, ditto	ditto	- - ditto.
Luna	P. Morris, ditto	ditto	- - ditto.
Job's Hill	Kelly, overseer	ditto	- - ditto.
New Ramble	Smith, ditto	ditto	- - ditto.
Orange River, sugar	E. J. Tulloch	ditto	Backward.
Lewisburgh	W. Lendrop	ditto	- ditto.
Richmond	W. Tulloch	ditto	- ditto, from being weak handed.
			Lambert's Report.

JAMAICA.

SUMMARY OF REPORTS.

Magistrates' Names.	Parish.	Estates reported on.	Magistrates' Names.	Parish.	Estates reported on.
Thomas Davies - -	Trelawny -	22	W. Ramsay - -	St. Catherine's	–
Samuel Pryce - -	ditto - -	34	H. Moresby, *vice* Clench	- ditto -	–
Ch. Hawkins - -	ditto - -	19	Thomas Baynes -	St. Thos. Vale	25
R. C. Pennell - -	ditto - -	19	J. W. Jones - -	- ditto -	29
R. C. Cocking - -	St. James -	12	Henry Laidlaw - -	St. Anne's -	–
R. S. Cooper, sick -	- ditto -	–	W. H. Sowley - -	- ditto -	23
Walter Finlayson -	- ditto -	24	A. Dillon - - -	- ditto -	–
Samuel Farrar - -	- ditto -	15	J. Rawlinson - -	- ditto -	–
Robert Thompson -	- - just come from Cayman's.	–	W. Marlton (absent, leave).	St. Mary's -	11
J. R. Hulme - -	Hanover -	31	H. Walch - -	- ditto -	28
J. Odell - - -	- ditto -	22	R. Thomas - -	- ditto -	26
J. Oliver - - -	Westmorland	15	R. S. Lambert - -	- ditto -	15
E. D. Philps - -	- ditto -	26	James Lloyd - -	St. Andrew's -	33
B. Edwards (all pens but)	- ditto -	3	H. Bourne - -	- ditto -	–
J. Daughtrey - -	St. Elizabeth -	–	Fitzgerald - -	- ditto -	11
W. A. Bell - -	- ditto -	15	W. Hewitt - -	St. George -	20
J. Reynolds - -	- ditto -	–	E. G. Fishbourne -	- ditto -	13
John Geirley - -	- ditto -	–	D. Macgregor - -	Portland -	24
A. Welch - -	Manchester -	–	E. B. Lyons - -	St. Thos, East	15
Th. Colbrooke - -	- ditto -	17	J. J. Baines - -	- ditto -	11
W. Alley - - -	- ditto -	–	H. Blake - - -	- ditto -	18
R. S. Haley - -	Clarendon -	16	J. K. Dawson - -	- ditto -	22
Robert Langrish -	- ditto -	8	J. Eveleigh - -	- ditto -	13
Theo. A. Dillon -	- ditto -	17	P. Dunne - - -	St. David -	31
James Nolan - -	Vere - -	29	Henry Kent . - -	Port Royal -	28
A. N. Macleod - -	St. Dorothy's	14			
E. D. Baynes - -	St. John's -	8			396
		366			

P. S.—Mr. Ramsay does town and police business. Mr. Clench having died, no return could be got. Mr. Moresby having been also at death's door for a fortnight, and unable to move about.

— No. 141. —

Copy of a DESPATCH from Lord *Glenelg* to the Marquis of *Sligo*.

No. 141.

My Lord, Downing-street, 22 August 1835.

I have received your Lordship's despatch of the 21st of June, containing reports from the special justices on the state of cultivation in Jamaica, with summaries drawn by your Lordship from the documents which had been furnished to you. The exposition which is thus given of the state and prospects of the plantations, and of the presumable causes of such partial defect of cultivation as has occurred, is upon the whole exceedingly gratifying.

I cannot omit this opportunity of thanking your Lordship for the great exertions which on this and on so many other occasions you have made to put His Majesty's Government in possession of the fullest and clearest information of the state of the colony committed to your care.

I have, &c.
(signed) *Glenelg.*

The Marquis of Sligo,
&c. &c. &c.

— No. 142. —

Extract of a DESPATCH from the Marquis of *Sligo* to Lord *Glenelg*, dated Highgate, Jamaica, 7 July 1835.

No. 142.

"Although your Lordship's despatch of the 14th May authorizes me to send to you only abstracts of the accounts which I receive from the various special justices, and that I fully appreciate the kind motives you mention as having induced you to come to this determination, I purpose availing myself of it but occasionally, and intend, at intervals, to notify to these gentlemen my wish that their reports on a certain day are to contain no private business, which can be of no general interest, but merely confine themselves to a statement of their opinion on the manner in which the new system is working in this island.

"In pursuance of this plan, I caused a circular to be written to them on the 17th of June, desiring them to confine their reports of the 2d July. I have the honour herewith to enclose you the original letters of these gentlemen, giving me their opinion on the points to which I had directed their attention; some have not yet reached me, in consequence of the illness of certain of the special justices; the majority, however, I have the honour to enclose, and would

would call your particular attention to No. 1, Colonel Gregg, Compt. Police; No. 2, Mr. Lyons; No. 5, Mr. Haley; No. 11, Mr. Pryse; No. 12, Mr. Baynes; No. 17, Mr. Daly, Compt. Police; No. 25, Mr. H. Walsh; No. 30, Mr. Dunne; No. 45, Mr. Marlton, and No. 48, Mr. Macleod. I should hope that you would read all the rest. The only unfavourable report is that of Capt. Thomas Baynes, of St. Thomas in the Vale, whose letter is numbered 21. The rest are all so favourable, that I consider it unnecessary for me to give you again on this occasion my so often reiterated opinion. I have inclosed in the folds of some of these letters others from the same individuals."

(No. 1.)

Surrey County Inspector's Diary for the month of June 1835.

I HAVE visited every part of my county during this month, and have had but occasion to act as magistrate only once, on Albion estate, in St. David's, on the 3d inst.

In the parish of St. David's, the apprentices are working as well as ever they were, and, generally speaking, the same work is done as formerly, though the time is less; besides, on Albion estate, the apprentices have sold their time to their masters for 1*s.* 8*d.*, digging 100 cane-holes; true it is, the soil is soft, but it shows that the apprentices can be brought to work for hire, besides the very great saving to proprietors. I am informed that 7*l.* 10*s.* was generally paid for jobbers per acre, consisting of 2,700 cane-holes; that work is now done for 2*l.* 5*s.*, but even supposing that the apprentices only dig 75 cane-holes, it will only amount to 3*l.* per acre; nor do I think that where a proper care is taken to pay the apprentice the moment the work is performed, he would ever refuse to dig 50 cane-holes for the sum of 1*s.* 8*d.*, making the sum of 4*l.* 10*s.* per acre.

The apprentice makes this calculation: he goes to his own grounds, plants his ground provisions, for which he has to wait, watch and attend to, for at least three months; then he is obliged to carry them on his head to market a very long distance, part of which he can sell well, but as his hours are numbered, he is usually obliged to sacrifice the remainder to the "higgler," (as they are usually termed,) who, knowing that the apprentice has to return by a stated period, waits like a hungry shark for the moment to "oblige" the apprentice, (as I once heard one of those "higglers" say); so that in reality the "higglers" are the persons who make the most money; besides, an apprentice cannot carry more than from 3*s.* 4*d.* to 5*s.* worth upon his head; whereas he can sell his Friday for 3*s.* 4*d.*, or 100 cane-holes, go to his market or his own grounds on Saturday, and not lay himself open to the disappointment of not being able to sell his provisions; thus, in one week or two, he can obtain what formerly took him as many months.

In Blue Mountain Valley, in the parish of St. Thomas in the East, work is going on remarkably well; here the apprentice has sold his night as well as day.

Plantain Garden River, in the same parish, I do not think is doing so well, but still far beyond the expectation of the most sanguine, Amity Hall estate excepted; this I learn is in consequence of one of the proprietors having come from England.

Manchioneal district is not doing as well as might be expected; still the work that is done is cheerfully, which is saying much for that quarter, as the apprentices in that quarter have ever been a troublesome set.

Portland I really do believe is doing better than ever it has done before; but there is one circumstance come to my knowledge while there. I am informed that persons are making speculations thus: they go to the head cooper or carpenter, who are always steady good men; they advance him money to purchase his freedom, and deprive the estate of a most useful man, obliging the said estate, perhaps, to purchase the work from a person who has advanced the money to the apprentice.

St. George's is doing very well, as also Port Royal and St. Andrew's: such is the uniformity of doing well everywhere, that the apprenticeship system may be said not to have disappointed even the most sanguine. There is one thing greatly wanted, that is, national schools, where a spirit of loyalty, as well as religion, should be instilled into the mind of the rising generation.

I have in a former report stated that I was of opinion that a falling off of one-fifth would attend the new change, but I wished in that report, as also in this, to err on the lowest side; and though I trust the crops will again find their level, still, I say, if they formerly averaged 100,000 hogsheads, that now from 85,000 to 90,000 can be the nearest calculation; but this may be principally owing to the short-handed estates being obliged to be thrown up; for those estates only made sugar out of the very heart's gore of the former slave. But I should hope, that when apprentices find they cannot get employment on one estate, they will be willing to look for it on another.

(signed) *G. D. Grigg,*
Chief Inspec. of Police, and Special Justice.

Kingston, 30 June 1835.

(No. 2.)

My Lord, Palmetto River, 1 July 1835.

THERE is no subject on which I can be engaged so agreeable to my feelings as a special justice than in reporting to your Excellency the general state of my district. Its condition, as

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as relates to the conduct of the apprentices, I have every reason to be proud of, if the contentment and industry around me is in the smallest degree to be attributed to any personal or mental exertion of my own. Eleven months of anxious and careful superintendence of a very extensive district will entitle me to speak with the confidence of experience, and I hesitate not to say that the quantity of labour performed on the sugar estates around me quite equals the average of slave-labour, and that the labour of the apprentices, on particular estates, is in all kind of work much greater than was ever performed or expected to be by them. As a proof of the correctness of my assertion, I have only to refer to the Blue Mountain apprentices, who, in the absence of the overseer from the property, turned trash and moulded canes at the rate of five people to the acre, where eight to nine would have been formerly considered good work, and on another piece, extremely foul, performed the same kind of work at six to the acre. In digging cane-holes, they completed a field at the rate of 25 to the acre, about 104 holes for each individual. While the work was in progress, the overseer assured me he would be satisfied if they dug it at the rate of 40 to an acre, the usual average. At Buckingham and Boston, an extremely laborious estate, they have been working in a similar manner for several months, working every Saturday in crop; and during the intervals of occupation at the works by the stoppage of the mill, they have been moulding canes and turning task by contract in their own time. At Hullhead the apprentices carried manure and planted canes at the rate of 26 to the acre: the overseer stated to me he would have been satisfied formerly, for the same kind of work, with 36 to the acre. At Garbrand Hall they have worked every Saturday during crop, and have dug cane-holes at the rate of 106 per individual a day, a degree of labour quite unprecedented on such land. At Coley they have worked on Saturday in crop and dug 86 cane-holes per diem. At Serge Island they have all through crop worked on Saturday. At Mount Pleasant the usual crop was made in less time than the previous year, and all the canes, but without the assistance of jobbers, whose aid was required last year. These instances of excess of labour I have selected as uncontradictory evidence of the correctness of assertions often made to your Lordship by me, that the apprentice does work, and in the majority of instances industriously. There are a few estates where complaints are occasionally made that the quantity of labour performed is less than it should be; but I have invariably found that there has been some irritating or exciting cause for such insufficiency of labour, and that it has rarely arisen from mere indolence.

That change of feeling, which is now matured into steady industry and general good conduct, manifested itself immediately after the Christmas holidays, and was, I doubt not, the result of the negro's observation, that though the new law is not what he anticipated and desired, it is at least a protective one to him, and that by good behaviour he has the power of securing himself from the aggression of the tyrannical or the persecution of the vindictive. There is in general a tolerable good understanding existing between both parties, master and labourers, which though it has not, and perhaps never will, ripen into that feeling of regard which is often found in Europe to unite master and servant in a bond of reciprocity, it is yet sufficient to destroy that acrimony of feeling which arose immediately after August, and to enable either party to perform their relative duties with good will during the term of the apprenticeship.

The offences that are brought under my notice are most frequently of a very trifling nature, and have, I conceive, increased since Christmas, though I do not think they are more numerous than formerly under slavery, but that absence of fear and the presence of perfect tranquillity induces strict and minute managers to take notice of every peccadillo and refer them to the special justice for his arbitration, when, without that medium, they would have been forgiven and forgotten as soon as begotten.

Crime there is very little of; nearly all offences committed by apprentices in this district are submitted to me, and out of a population of about 7,000 under my superintendence, I have only once since Christmas had an offence of so serious a nature as to justify the infliction of 50 lashes, and that was for killing a mule maliciously. I believe no community has so little of atrocious or flagrant villainy.

There is an evident and increasing desire for instruction among the negro population, and almost all under 25 eagerly seek the opportunity of being taught to read. This feeling, I conceive, judiciously guided and encouraged, might be made to fructuate to the advantage of the whole community; but, unfortunately, the means of education are exceedingly limited, the only establishment for the instruction of adults and infants in this district being a Sunday school at Colly estate, conducted by gratuitous teachers: it is situated from 12 to 14 miles from a large mountain population, and surrounded by extensive sugar estates.

I feel assured your Lordship will press upon the Home Government the necessity of immediate attention to this, as the most wholesome and best means to the attainment of permanent good feeling and good habits among the labouring population.

I am sure it will be gratifying to your Lordship to know that not only has this year's crop been got in on those estates that have finished without any diminution of their estimates, but that the prospect for the future is as favourable as possible; and I feel quite satisfied, from the preparations I observe, that when the autumnal planting is concluded, the confidence of the managers of this district in the productiveness of labour under the existing system will be proved by the fact of an increase of plants on some estates, and the smallness of the reduction of the fields on others.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *Edmund B. Lyon,*
Special Justice.

No. 3.

My Lord, Stony Hill, St. Andrews, 1 July 1835.

In obedience to your Excellency's commands, transmitted in circular of the 17th ultimo, I herewith have the honour to forward a duplicate of my last report of the state and forwardness of my district.

It must be evident, from the planters keeping up the same extent of cultivation as formerly on a diminution of one-fourth of the hours of labour, that the negro population here are doing as much or more work than was ever before performed in the same given time; I must nevertheless say, I am sorry I cannot attribute such labour to a willing disposition towards industry on their part. I am aware, from 15 months' experience and a close observation, that a dread of coercion alone and the strong arm of the law, which I trust in God has been impartially administered, will induce them to continue an adequate portion of labour.

I further beg leave to state to your Excellency complaints are much decreasing, both as regards the masters and managers against the apprentices, as also of the latter against the masters and overseers; there is on both sides a decidedly better feeling. The multiplicity of frivolous complaints immediately after the 1st of August have dwindled to nothing. The punishable ones now preferred are chiefly for petty robbery of the negro grounds, and a neglect on the part of watchmen and cattle minders, very few for a want of sufficient labour. The petty plunder complaints are almost entirely against persons who have been long absent from the properties to which they belonged, and who came home under your Lordship's Royal Proclamation on the 1st of August, whose provision grounds must have naturally gone to ruin. While on the subject of the then absentees, I beg to assure your Excellency I attribute the comparative increase of labour to the apprentices generally confining themselves more to the properties, and not running off as heretofore, from a dread of coercion for every frivolous fault by them committed.

Your Excellency is aware how few of the proprietors, generally speaking, took any pains previous to the 1st of August to bring the management of their properties in conformity with the law about to take place. Your Lordship, I trust, will see some foundation for what I conceive ought to be by them done for weeks previous. There ought to have been a general change of overseers; the new ones should have been directed to conform immediately to the law connected with the abolition of slavery. Such a measure would have spared your Excellency and your then very few special magistrates the task of endeavouring to ameliorate and soften down existing animosities, whether merited or not, did exist, most persons will admit.

I have, &c.

His Excellency the Marquis of Sligo. (signed) *Samuel Lloyd*, Special Magistrate.

(No. 4.)

Sir, Camp, 2 July 1835.

In answer to your circular, dated King's-house, 17th June, I have the honour to report that up to the period of my leave of absence, which commenced on the 27th May, that the disposition, industry and behaviour of the negro population in my district were daily improving, and that the treatment they received from the masters, managers and overseers were unexceptional; as a proof of which, all complaints have ceased, with the exception of some trivial things which must occur among so large a community.

I have, &c.

To W. G. Nunes, Esq., Secretary, (signed) *A. Dillon*, Special Justice.
King's-house, &c. &c. &c.

Sir, Up Park Camp, 2 July.

In reply to your circular, I beg to state, that in my district the apprentices were anxious and willing to work in their own time for wages. In the first instance on my arrival some few properties, namely, Ballentry and Orange Valley, refused to do so; but on my explaining the beneficial and good consequences of their doing so, they cheerfully complied.

I have, &c.

To W. G. Nunes, Esq., Secretary, (signed) *A. Dillon*, Special Justice.
King's House.

(No. 5.)

Sir, The Chapelton District of Clarendon, 25 June 1835.

In answer to your circular of the 17th instant, desiring, by command of his Excellency the Governor, a particular report of the state of the district in Clarendon assigned to my jurisdiction, as to the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, and whether complaints have increased or decreased, on either side, since the commencement of my duties, I beg to state, for the information of his Excellency, that the disposition and conduct of the negroes are most promising, and will eventually prove, beyond doubt, to any who may still remain unconvinced, that the expense occasioned by the new system is more than covered by the unfrequency of desertion, and the

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improved state of health and strength enjoyed by the negroes. I never had the management (and I many years, as first lieutenant, directed the discipline of men of war) of a people so docile and ready to obey, more respectful to superiors, and submissive to their direction and advice. The predominant vices of idleness and petty thefts are clearly the offspring of a state from which they can only be said to be now emerging. In losing these vices, which are even now going into decay, I trust that they may not substitute European crimes of a deeper hue.

I cannot, in making a statement of this nature, refrain from taking the liberty of recalling to his Excellency's recollection an instance of industry and good conduct upon the part of the apprentices upon Leicesterfield's estate, and in doing so to assure his Lordship, that upon any estate in this district, where the manager's treatment is kind and considerate, I could not fear producing similar commendable dispositions, if extra labour were required.

The complaints against apprentices have diminished to almost one-half the amount; and I have few, indeed scarce any, against managers. The proprietors and attornies have discountenanced harsh treatment, which, together with a few fines levied in earlier days upon some overseers, have produced, I hope, more correct feeling, as well as more correct conduct.

As my duties commenced in Clarendon without the assistance of any other magistrate, I may be allowed to express my satisfaction in the belief that from both the other districts his Excellency will receive favourable reports. To the hearty concurrence of Mr. Langrishe and Captain Dillon in all those regulations and measures which had proved beneficial, and to their ready and able advice and assistance, may be ascribed, in conjunction with the willing co-operation of all influential persons in the parish, its present state of subordination, and, I would fain believe, of prosperity.

I remain, &c.

W. G. Nunes, Esq., King's House. (signed) *R. Standish Haly,*

(No. 6.)

My Lord, Spanish Town, 2 July 1835.

In reference to a circular, dated 17th June 1835, in which information on the general state of the district and parish of St. Catherine's is required, I have to state, that in consequence of a severe attack of yellow fever, I have, since the 8th of last month, been prevented visiting the different properties in the above district, and am therefore unable to lay before your Excellency the general statement which the above-mentioned circular requires.

I am, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *H. Moresby,* Special Justice.

(No. 7.)

Special Magistrate's Residence, Mount Pleasant, near Annotto Bay,

My Lord, North East District of St. Mary's, 30 June 1835.

I have the honour to furnish your Lordship with my accustomed periodical report of the state of my district, in respect to the disposition, industry and behaviour of the apprentices herein delegated to my immediate charge, protection and regulation.

I have much satisfaction, my Lord, in renewing to your Lordship my report of the continued improvement in the disposition and conduct of the apprentices in this district of St. Mary, and that the complaints of masters *versus* the apprentices have gradually and considerably diminished since I assumed my duties here in February last. Your Lordship will, I hope, pardon me for offering my opinion when I say, that I consider continued and unflinching discipline as necessary to preserve the present order of things and regulation among the negro population, whose weak minds are prone to take advantage of the magistrate's relaxation and lenity.

In justice to the masters, managers and overseers in this district, I am bound to report to your Lordship, that the conduct and treatment observed by each and all these parties towards their apprentices is humane, kind and liberal; and it may not be amiss here to call to your mind, my Lord, (in confirmation of this part of my report,) that but one solitary instance has occurred of my being called upon to adjudicate the case of the apprentice *versus* the master since I took charge of this district in February. I trust my present statement will be satisfactory to you, my Lord; and I beg to subscribe myself,

Your, &c.

To his Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Joseph Rawlins Thomas,* L. R. N., And Special Justice.

(No. 8.)

My Lord, Mile Gully, 1 July 1835.

This district consists of very extensive pens for the breed of cattle, and coffee plantations. I have minutely inquired into the disposition, behaviour and industry of the negro population, and am happy to state that on all the large properties the apprentices are working cheerfully and well.

With the exception of a few cases, and those principally women, I have no complaints either

either from master or apprentice. I have made myself acquainted personally with the negroes in the absence of their employers, in order to ascertain their feelings towards their masters, and I have invariably found, where a kind and conciliatory mode of treatment has been pursued, that the apprentices are the more willing labourers.

I have the declaration of Mr. William Davey, of Bellefield, and Mr. Austin, of Christiana, that the apprentices work fully as well as before the 1st of August. Those are two considerable coffee plantations, and are managed by those two gentlemen as overseers.

It affords me great satisfaction to inform your Excellency that complaints on both sides have decreased since I have commenced my duties of special magistrate.

I have, &c.
(signed) *W. H. Alley*, Special Justice.

(No. 9.)

My Lord, Black River, St. Elizabeth's, 1 June 1835.

In compliance with your Lordship's circular, dated the 17th ult., respecting the state of the negro population of the district under my superintendence, I have the honour to state that, although my experience as a special magistrate is but limited, I have some knowledge of the negro character and disposition from having been five years in my professional capacity in the West Indies, during which I had an opportunity of visiting nearly the whole of the West India colonies, both Foreign and British.

I have no hesitation in stating, from former and my subsequent experience, that I have found the disposition and habits of the negroes depend greatly on the character of those who are placed over them; and to use an expression of their own, "good massa make good negro." I shall, however, confine myself more particularly to the observations I have been enabled to make lately, and draw a comparison between those properties conducted by men of respectability, and those that are in the hands of what are termed "old planters," many of whom cannot be divested of their old prejudices.

First, my Lord, I have to instance Salt Spring, Fullerswood, Success, Lower Works, Hodges Pen and the Rectory. These properties comprise one-third of the negro population of this district, and from these I have only three complaints during the last quarter, and two of the three are for petty thefts; while on the numerous small settlements, with a population each under 40, that are conducted by the proprietors, who in most instances are scarcely elevated above the negro in any respect, between these people and their apprentices there are constant contentions and incessant complaints, the one endeavouring to exact, the other to avoid, as much labour as possible. And I am positive the people would not work for them unless compelled, neither party having respect or feeling for the other.

The negroes are habitually indolent, but a good example (which they rarely have), a feeling that they are themselves to reap the fruits of their labour, instead of those to whom they consider they have no obligation, will hereafter work an extraordinary change in their character.

Your Lordship will perceive from what I have above stated, that there is a good understanding existing between the employers and apprentices on the larger properties, where they are generally well treated; but I have to observe that my district comprises pens and settlements on which I do not think the discipline is so rigid as on sugar plantations. Complaints are certainly decreased, but I attribute it to my being constantly amongst the apprentices. I have endeavoured to make them understand the mutual obligations they and their employers are under to each other, which I have always found them ready to listen to.

My weekly reports would have already informed your Lordship of the sad extent to which thieving is carried on, and I am fearful nothing will stop it until the people are more enlightened by education.

I have, &c.
(signed) *John Gurley*,
Special Magistrate.

His Excellency the Marquis of Sligo.

(No. 10.)

My Lord, Brownstown, 30 June 1835.

In answer to the circular of 17th June 1835, requesting to be supplied with an account of the particular state of this district in respect to the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased on either side since I assumed my duties, I have the honour to state, since my arrival in February last, the disposition and behaviour of the negro population, generally speaking, has been good, and still continues so. There has been nothing like combined resistance for the last three months. With respect to their industry, the prevailing and general complaint of masters and overseers is an insufficiency of labour, that the apprentices do not do as much as they could in the limited time they are called upon to work. With respect to the treatment the negro population receive from their masters, managers and overseers, the best answer I can give is, that for the last six weeks I have not had a single complaint from any of them, and previous to that time very few. Looking back to the weekly reports I have sent, I can fairly state that complaints on the part of masters and overseers are on the decrease.

I have, &c.
(signed) *Stanley Rawlinson*,
Special Justice.

His Excellency the Marquis of Sligo.

(No. 11.)

My Lord, Trelawny, 30 June 1835.

I HAVE much pleasure in reporting to your Excellency, that the whole of this populous and extensive district, assigned to my management by your Lordship, is perfectly tranquil and orderly.

The late fine seasons have put a new face on the country, and stimulated to increased exertion all parties interested in the cultivation of the cane fields.

The apprentices are becoming better behaved, and more reconciled to their managers under the new system than heretofore. They are gradually settling down to their duty and performing their work steadily and well.

As a proof of it, I humbly submit to your Excellency's consideration the following facts:

The apprentices generally appear to pay more attention to the religious observance of the Sabbath than formerly.

They appear desirous of having moral and religious instruction, and express a desire to have their children educated; none of whom have they in any instance apprenticed to their former masters.

They express an anxiety about their houses and grounds; and on one occasion I was asked by an apprentice if he could legally purchase and own land.

And I think the apprentices are becoming more and more sensible of the great boon that awaits them, as also of the necessity of the intermediate graduation of the term of apprenticeship, doubtless, my Lord, under the expectancy of education and increased religious instruction, and I regret to report to your Excellency the total absence of those valuable impulses throughout this extensive and important district.

Since crop, my Lord, I have had only one complaint from any manager in my beat (46 properties and about 9,000 apprentices) of the apprentices not working faithfully, and on investigation I am satisfied the overseer was himself to blame, having stopped their allowance of herrings, and worked the apprentices eight hours per day for five days in place of nine hours, and thereby depriving them of their half of Friday.

The apprentices work extra time cheerfully where required to do so for five days in the week, for monetary hire and at moderate rates.

I am not aware, my Lord, of any one estate in this district where they have refused to do so; and on some estates they work at night for moderate wages; at cane-hole digging, several of the apprentices have earned 6*s.* 8*d.* or a dollar per day, viz. by digging 160 holes at one halfpenny each.

The crops have been taken off and are closing very successfully.

The produce is of a superior quality to that made heretofore on every estate without exception.

There has been no stock lost as formerly, except on one property, where they had no supply as usual before the commencement of crop.

In this district, my Lord, there is only one resident proprietor, a very small estate; but the attornies and managers generally are showing a more ready disposition to meet the new system in an equitable and honourable manner, by showing the apprentices a countenance, and granting them allowances of herrings as formerly, and other indulgences to them and the free children not directed by law.

I regret to state to your Excellency that several of the subordinate planters still cling to the old system, and cannot divest themselves of their old prejudices and arbitrary disposition towards the apprentices, who on their parts have not had sufficient time to reconcile themselves to their former oppressors.

Complaints are greatly diminished, my Lord, since the commencement of my duties, and they have become more of a casual than of an important nature, frequently between the apprentices themselves only.

In closing my report, I very humbly submit to your Excellency (from an experience of 34 years in the colony), that the prospects for the next year's returns are as flattering as can reasonably be expected, and are quite at variance with the newspaper reports.

The "Tharp's" estates will make equal crops the next year; they are going on well, and Mr. Tharp has assured me of his confident expectancy of increased returns the next season, and in which I submit to your Excellency he is borne out by the present healthy appearance of the cane cultivation.

Mr. Dexter, overseer and attorney (an old practical planter), at Hampstead and Retreat, confidently expects to increase the crops of those estates; and several other properties will make similar returns to the present years.

Mr. Bridge, overseer and attorney for York and Gales Valley estates, finished crop the 25th May, and has declared to me, "that he never had less trouble or more pleasure in taking off a crop in his life," and he is, my Lord, an old planter of acknowledged practical experience.

My Lord, the planters generally in my district acknowledge that the hours of the law are sufficient if faithfully performed, and that things are coming round well, and that the apprentices have done and are doing a great deal more work this year than the last, which I humbly submit to your Excellency to be an absolute fact.

I have great satisfaction in reporting to your Excellency, that the apprentices are apparently all happy and contented, and that they are well housed, well fed and well clad; and that

that the awful responsibility I felt on assuming my official duties has changed into a considerable degree of confidence, in the well-being of the apprentices and the well-working of the new system.

I beg to confirm my previous reports to your Lordship, and to assure your Excellency of my continued exertions in the faithful discharge of my official duties, in the hope of a successful termination, and of meriting the approval of your Excellency.

I have, &c.

To his Excellency the Marquis of Sligo. (signed) *S. Pryce*, Special Justice.

(No. 12.)

My Lord, Aylmers, St. John's, 1 July 1835.

In compliance with instructions received from Mr. Secretary Nunes, in a letter dated 17th ultimo, requiring, for the information of your Excellency, a report of the particular state of this district as regards the disposition, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased since my entering on the duties of my office, I have the honour to state, that I perceive no material alteration in the disposition of the negro population; they are undoubtedly in this district generally peaceable and orderly, but I regret to say there is little reciprocal good-will subsisting between the apprentice and his manager; whilst the latter endeavours to procure as large a quantum of labour as possible in the hours allotted to him by law, the former seems determined to afford him as little as a frequent recurrence to the magistrate will permit; with this interference, however, the apprentices in this district continue to perform a fair proportion of work; indeed a total want of industry is not among their defects. With the exception of a few bad characters, they cultivate their provision grounds with assiduity, attention and profit; it is to their master only they begrudge their labour, and give it reluctantly.

On one estate only in this parish does that mutual good feeling exist between master and servant which would, were it general, ensure the successful operation of the new system, and answer the great end proposed in the enfranchisement of the negro, by gradually preparing him for the change that will take place in 1840, when he will be elevated to the condition and responsibility of a free agent and citizen. I allude to Spring Vale estate, from which I have never received a complaint from either manager or apprentice, yet the work done this year has vastly exceeded the average of many years back.

The negroes, perhaps from recollection of occurrences which may formerly have taken place, are extremely suspicious and distrustful of the good faith of those in authority over them; it is also a general complaint that they are growing from day to day more disrespectful and even insolent to their employers. On different properties different modes of arrangement have led to partially different results, but the prominent features of the negro character remain as yet unaffected. There are doubtlessly among them individuals not inferior in intelligence and acquirement to the European peasant, but the proportion is by no means large; and I cannot but state it as my opinion, that although a twelvemonth has now nearly elapsed since the commencement of the present system, the negro has not, as far as he has come under my observation, made a corresponding progress in his fitness for total emancipation, and the new state into which he will have to enter in five years from the present time, a period rather short for any extended developement of moral principle or considerable amelioration of his former and present disposition. At home, in the negro villages, he is as licentious and unrestrained as ever; a Christian perhaps, at least baptized, it does not appear that the efforts of his religious instructors of any sect have succeeded in preventing his indulging in polygamy. The numerous cases in my diary show how general, notwithstanding frequent dunishment, the crime of thieving still continues; the notion of the nature of an oath, as entertained by the negro, is rarely correct and adequate; it is a matter of every day occurrence for a prisoner convicted on clear and abundant testimony, to offer to kiss the book, as he calls it, to prove his innocence.

The want of a fitting system of education for the youth, as well as the children of both sexes, is frightfully manifest; those of the latter, free under the Abolition Act as less than six years of age on the 1st August 1834, are bred up in absolute idleness, untaught by their parents to perform the slightest service for them.

In reply to your Lordship's question respecting the treatment which the negroes receive from their masters, managers and overseers, I have to observe that few serious complaints have been brought before me; on some properties they are treated more indulgently than on others; to any infractions of the Abolition Act I at once afford the remedy provided by law, but I am happy to say they are of rare occurrence; although I regret to add that in some instances the indulgences heretofore given have been withheld since crop, on the negro refusing to give extra work to obtain them.

As regards the last point on which your Excellency calls for information, the increase or diminution of complaints, your Lordship will have collected from my hebdomadal reports that but little change has taken place. About two months since I certainly did indulge a hope that a considerable improvement was manifesting itself, but latterly complaints have again become numerous. Whilst the apprentices on some properties are for a time behaving better, those on others turn refractory and disobedient. At Clifford's, for instance, an estate belonging to Mr. Coleman, the member for Clarendon, I had not for the first six months or more of my service a single complaint, yet within the last month I have had great trouble there,

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there, and been obliged to punish with some severity, yet Mr. Coleman still complains that they will not afford him a fair proportion of work. I also remark that the charges now brought before me are often of a very serious nature, such as causing the death of animals by neglect or cruelty, and other offences betokening a bad feeling towards the master or manager.

I have, &c.
(signed) *Ed. Davis Baynes.*

His Excellency the Marquis of Sligo,
&c. &c. &c.

No. 13.

My Lord, St. Elizabeth's, 29 June 1835.

I HAVE the honour to inform you that my district is perfectly orderly; I have no complaints of the apprentices not doing their allotted duty; I have a few complaints of insolence, and I am sorry to say much of thieving one from another, so much so that some industrious apprentices will not make a ground for fear of the others; but between master or manager and apprentice things are going on well; no cruelty and much even temper on one side, and on the other side a satisfaction that they have justice. Complaints have much decreased in number since I commenced my duties here.

The negroes are rather whimsical about working in their own time for money, sometimes they will, at others they will not, but the thing is not much pressed on them.

I have, &c.
(signed) *W. A. Bell.*

His Excellency Marquis of Sligo,
&c. &c. &c.

No. 14.

My Lord, Morant Bay District, 1 July 1835.

IN obedience to your directions, dated June 17th, I have the honour to inform your Lordship I cannot say at the present time that the apprentices in this district appear to work so freely for wages when proposed to them as they did a short time past. Lately, on a few estates, money has been offered to keep the spell at night, where they have refused to accept it. The dispositions and behaviour of the apprentices in this district I certainly must say is respectful and obedient; I have never heard to the contrary. Their treatment from their masters I have scarcely had above one or two most trifling complaints. I have much satisfaction of informing your Lordship that since I commenced duties in this district in February, that complaints have decreased more than half.

I have, &c.
(signed) *Jno. Eveleigh*, Special Justice.

His Excellency the Marquis of Sligo,
&c. &c. &c.

No. 15.

My Lord, Oliphant's Lime, Savanna, Lower Clarendon, 1 July 1835.

I HAVE the honour to acknowledge the receipt of a circular of the 17th June, directing me to furnish your Excellency with an account of the state of my district, the industry and behaviour of the negro population, the treatment they receive from their masters, and whether complaints have increased or decreased since I assumed my duties as special justice.

In reply, I beg to state to your Excellency that the new system is working as well in my district as its most ardent friends could desire, which assertion can be proved by some of the most respectable inhabitants of the parish.

The crops on almost every estate are finished, and, generally speaking, have exceeded that of last year both in quantity and quality. The state of preparation for next year's crop on all well-regulated estates is as forward as the diminished number of hours will allow. Complaints have decidedly diminished; but I regret to state I have been under the necessity of punishing some of the employers for cruel treatment to their apprentices.

I beg leave to assure your Excellency, that some very respectable managers, who at one time declared in my presence against the negroes working at all under the new system, will now come forward and declare they never saw the estate look more flourishing, and that they never knew their negroes work more laboriously, or with more cheerfulness or good feeling. I do not for a moment hesitate to declare to your Excellency, that both on the Sugar Estate and Coffee Mountain the apprentices in Lower Clarendon district are giving their managers more satisfaction than that they could possibly have anticipated.

I have, &c.
(signed) *R. J. Langrish*, Lieut. R. N.,
Special Justice.

His Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 16.)

My Lord, Lower Lucky Valley, Jamaica, 30 June 1835.

CONFORMABLY with directions given through the letter of Mr. Nunes, under date of the 17th instant, I have now the honour to submit to your Excellency an account of the particular state of my district in respect to the disposition, industry and behaviour of the negro population;

population; the treatment they receive from their masters, managers and overseers; and whether complaints have increased or decreased on either side since the assumption of my duties.

As regards, firstly, the disposition of the negroes in my district (St. George's), it has exhibited itself in that medium form and degree as to have escaped cause for much reprehension, but not to have afforded cause for much praise. Towards the Government and public authorities of the Island there has been no instance of disaffected conduct or feeling, or other, indeed, than that of a willing obedience; but except amongst the better informed and better disposed class of negroes, those who are able to understand as well as to value the boon granted by the Abolition Law, there has been wanting that due feeling of gratitude which would most usefully have proved itself by stimulating the apprentice to an increased activity and energy in the performance of labour, where the law had generously decreed a reduction in the hours of labour.

Not only the disposition, but also the habits of industry and behaviour of the negroes are, I conceive, however, materially regulated by the treatment on the part of the managers and overseers. Some of the gentlemen acting in the latter character in the parish of St. George are men of experience, discretion, temper and feeling; there are others, on the contrary, who have these recommendations but imperfectly, or not at all. I should hope that the number of the first-described class prevails; and that I can conscientiously say that good treatment is more frequent than bad treatment on the part of the overseers of my district towards their apprentices.

Respecting the increase or decrease of complaints, it may perhaps be in the recollection of your Lordship that on my taking charge of the mountain district in St. George's in April last, the parish had been for some time without the presence of a magistrate, and that I had consequently to adjudicate upon a long arrear of cases, and to inflict unusually extensive punishments; subsequently, and having to the best of my judgment introduced a system of firm and equal justice, as respects both apprentice and overseer, the complaints on each side have since much diminished.

The staple produce in the mountain district of St. George is coffee. The crop of this article for the present year is finished, and the amount (owing to the bad state of the weather) being short, the labour (though reduced) of the apprentices has been sufficient (generally speaking) to secure the whole produce. The prospects for the next year's crop are so far favourable, that the coffee trees have recovered, and now, by their healthy and abundant blossom, give promise of an unusually large produce, but which abundance the overseers anticipate no benefit from, unless there is an extension of the hours of labour (or an increased activity during the present allotted hours) to gather it in: true that the law gives the overseer additional hours during crop time, but these he must afterwards repay, and he therefore declines availing himself of them. It would be very desirable could an arrangement be made, that a certain and fair quantity of work should be done in preference to the principle of regulating labour by a certain quantity of hours; all possible ground for complaint would thus be taken from the overseer, and the negro might be stimulated to do in six hours that work for which he now takes eight hours, since the overplus of time would be at his own disposal.

At present the apprentices, although civil in general demeanour, work lazily and reluctantly, and often necessitate an exercise of coercion where there is the disposition to prefer that of lenity.

Having thus, in obedience to your Lordship's directions, replied to the particular points stated in the letter of Mr. Nunes, I have to express my hope that your Excellency will not feel offended, or deem me to have taken a liberty in having, under the impulse of duty, superadded observations thereto.

I have, &c.
(signed) *William Gillam*, Special Magistrate.

(No. 17.)

My Lord, Brechin, St. James, 29 June 1835.

Agreeably to the instructions received from Mr. Secretary Nunes, I continue to make reports of such parts of my county as I have been enabled to visit, and beg leave to state that during the last week my duties have confined me to the neighbourhood of the Brechin police station in St. James, where I am happy to observe matters, in my opinion, in a prosperous state. There are several estates in the immediate vicinity, and the manufacture of sugar being nearly completed, the labour is chiefly applied at present to the cultivation of canes, which appears to be most cheerfully performed by the apprentices, and as far as I can learn, on well-regulated properties, much to the satisfaction of the managers. I may safely say, that things, as far as I have observed, are coming into a very even state; and except the reiterated reports through some of the public prints, the accounts are generally very favourable. I had the pleasure of seeing a very respectable attendance of apprentices at the chapel near this on Sunday last; and I learn that the school there is well attended. Religious instruction appears to meet with considerable support in this district, of which I judge from having seen many of the proprietors and managers attending service.

I have, &c.
To his Excellency the Marquis of Sligo, &c. &c. &c. (signed) *R. Daly*, S. M., &c.

(No. 18.)

My Lord, Rio Bueno, 30 June 1835.

AGREEABLY to your Excellency's directions, I have now the honour to forward such observations on the dispositions, industry and the general behaviour of the negroes in this district, as my short residence here has enabled me to form; also a statement of the treatment they experience from their masters, managers and overseers, and the comparative increase or decrease of complaints since my first assumption of the duties of a special magistrate here.

The apprentices in this district I conceive to be generally well disposed, tractable and easily managed; where this is not the case, and the instances are very few, the fault may be traced to bad management, habitual drunkenness, or opposition on the part of those placed in immediate authority over them; they cannot, however, be said to be an industrious people, although the love of money, in which they fully participate with Europeans, would lead one to hope they will gradually become more so, seeing what high wages they are likely to obtain after their apprenticeship is out, 2*s.* 6*d.* each per day being even now obtainable for whole gangs by such as let out jobbers. Their behaviour is in general very peaceable and good, though much inclined, even now, to think themselves imposed upon, and as not obtaining equal justice with their masters, a natural consequence of the ignorance which still prevails. On the other hand, they are, with very few exceptions, well treated by their masters, managers and overseers, many of whom, I feel persuaded, would, if they durst, mitigate the sentences which I frequently have to pass upon them; the feeling on both sides may, therefore, be said to be an amicable one, as the only class who show them any unkindness are small settlers, having 8, 10, or 20 blacks, often men of bad character, drunkards, and low life individuals.

They appear in general to be happy, well clothed and well fed.

I have, &c.

To His Excellency the Marquis of Sligo, (signed) *R. C. Pennell,*
&c. &c. &c. Special Justice.

P. S.—Complaints are so much diminished, and of so trifling a nature generally, that I expect shortly to be often a week without having any at all.—*R. C. P.*

(No. 19.)

My Lord, St. Mary's, 30 June 1835.

I HAVE the honour, in obedience to your Excellency's instructions, to report on the state of the district I have the honour to have in charge in this parish.

Since my recent appointment to this district, I have observed the conduct of the parties referred to, and can confidently state that, with a few exceptions, the dispositions and behaviour of the negro population are such (as appears by the weekly returns I have had the honour to transmit to your Excellency, my periodical visits having been made in a great majority of instances without any complaint being preferred,) as to satisfy their masters and employers, whose treatment of their apprentices appears to be regulated in a great measure by the endeavours of the latter to exhibit an industrious line of conduct, which I have found met by a corresponding system of kindness and attention to their wishes and comforts.

I have, &c.

To His Excellency the Marquis of Sligo, (signed) *R. Sydney Lambert,*
&c. &c. &c. Special Justice.

My Lord, St. Mary's, S. E. District, 30 June 1835.

I HAVE the honour to enclose, for your Lordship's inspection, the diary of my last week's proceedings in this parish, as also the conclusion of the report on the state of the crops, together with the monthly return of properties visited and not visited, and the account of the state of the district, as ordered in your Excellency's circular of the 17th inst. I regret that the short period I have been in charge of this district prevents my including in this latter communication the information required as to the increase or decrease of complaints. The apprentices generally, where any misunderstanding does exist, seem on many points bearing on their supposed grievances to be in total ignorance of the law, which I devote myself to explain to them, and which I am happy to say they listen to in most cases with attention.

I have, &c.

To His Excellency the Marquis of Sligo, (signed) *R. Sydney Lambert,*
&c. &c. &c. Special Justice.

(No. 20.)

My Lord, Aberdeen, Rio Bueno, P. C., 30 June 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's circular of the 17th inst.

In

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In compliance with your Lordship's directions as to the particular state of my district, with respect to the dispositions, industry and behaviour of the negro population in my district, the treatment they receive from their masters, managers and owners, and whether complaints have increased or decreased on either side since my assuming the duties of special magistrate, I beg leave to inform your Excellency, that the negro population of this district are behaving extremely well, and have nearly taken off the crop, without many complaints, and none of any very serious nature; that their dispositions have improved, and they have worked much better than at the commencement of crop, and apparently with much more satisfaction to themselves and their masters.

The character of the negro is not of an industrious habit, and there being but few examples of their working during the hours allowed them by law. I however look forward to the negro coming more into the way to work for hire than they have done, and making themselves a more industrious class of people. The treatment they receive from their masters, managers and owners, appears to me to be kind, and that both sides are coming into the manner of working with kinder feelings, and more agreeable to the Act for the abolition of slavery.

It is with feelings of extreme pleasure that I can inform your Excellency that in this district complaints on both sides have decreased very considerably since my assuming the duties of special magistrate; and I have no hesitation in saying that the prospect for the next year's crop is very good.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *C. Hawkins,* Special Magistrate.

(No. 21.)

My Lord, Parish of St. Thomas in the Vale, 1 July 1835.

During the four months that I have been carrying into effect the arduous duties of the Abolition Act as a stipendiary magistrate, I regret to say that I have seen no disposition towards industry evinced on the part of the negro population generally; they require on all occasions to be coerced by the law to do their regular work, are extremely tenacious of a few minutes of their own time, if used by the managers, and on the contrary, are indolent, lazy, and generally late in turning out to work on the estate. I cannot offer a stronger proof how prone the race is to idleness than the manner they are now bringing up their children, in objecting generally to any mode that may be proposed to give them work or apprenticing them. As to the general disposition of the working classes, it is a compound of low cunning, deceit and lying. In my opinion, if they are aware, they care very little about the sacredness of an oath; and whenever profaning it can suit their own ends, it is a mere matter of form.

Complaints, I am sorry to say, are on the increase for some weeks past, and in many instances evinced a degree of sulkiness on the part of the negroes.

The negroes are well treated by the managers, and complaints are very rare against them; the law has completely tied up their hands from any acts of oppression. I regret my report is not more favourable.

I have, &c.

Most Honourable Marquis of Sligo, &c. &c. &c.

(signed) *J. W. Baynes,* Captain of S. S. P.

(No. 22.)

St. Ann's, 30 June 1835.

The apprentices in this district continue to be working very well, and there is an appearance of cheerfulness and good feeling existing among them and their employers, who seem satisfied with their conduct; indeed, generally speaking, I think there is a mutual confidence on both sides. In a great many instances they have their herrings served them as formerly, owing to their general good conduct. There are scarcely any complaints now on either side, and those only of a minor nature, which shows, in a great measure, that the apprentices here have much improved; and they seem to be satisfied with the treatment of their masters and overseers.

W. H. Sowley, Special Justice.

(No. 23.)

My Lord, Villa, 30 June 1835.

I beg to report to your Excellency the state of my district, and it is with much satisfaction I can acquaint your Excellency the negro population continue to conduct themselves in a very peaceable manner, are more respectful in their demeanour, and evidently show a better disposition to work than when last I had the honour of making similar report to your Excellency. With respect to the treatment they receive from their masters, managers and

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overseers, I scarcely know of an instance where the apprentice has any just reason now to complain; and I also beg to inform your Excellency complaints on both sides have considerably decreased since I assumed the duties of a special magistrate.

I have, &c.
(signed) *E. D. Philp*, Special Justice.
Leeward District, Westmorland.

To his Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 24.)

My Lord, Rodney Hall, St. Thomas in the Vale, 1 July 1835.

I AM happy to inform your Lordship that the apprentices in my district are generally well disposed and industrious; on some properties I have not had a complaint for the last two months, and those apprentices who have been complained against and punished are much improved in their conduct. The treatment of the overseers and managers is most kind and indulgent; for upon Hag Hole estate Mr. Fairweather, the attorney, not only gives the negroes all former allowances, but pays them liberally in money during crop, while working extra hours. Complaints have certainly decreased, and I have no hesitation in saying they will continue to do so. The canes for next year's crop look rich and luxuriant on most properties; so much so, that the overseer of Tulloch told me the other day that he was almost certain of making next year from 30 to 40 hogsheads of sugar more than he has done this.

I have, &c.
(signed) *T. Wathin Jones.*

To his Excellency the Marquis of Sligo,
&c. &c. &c.

(No. 25.)

My Lord, Derry Police Station, Pear-tree Grove, P. O., 30 June 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's secretary's circular of the 17th instant, and I beg to state, for your Lordship's information, that the negroes in my district evince the greatest anxiety for industry and morality. I regret to say that, in my opinion, many of them are far more circumspect as to their conduct on the Sabbath-day than that of the higher class of gentry in this Island.

Crime amongst the negro population is daily decreasing, and they seem to be loyal and affectionate towards the British Government, and particularly towards the King.

The negroes on the sugar estates in my district will all work for wages, and some of them are now working for barter, salt and herrings, &c., for example, Goshen estate, attorney, Mr. Gueddis. From everything that I have both seen and learned, and considering the degraded state from which the negroes have been raised by the mother country, I must say that in my own district they have made a most rapid improvement, and I cannot report them in any other manner, taking the average from the 1st of August 1834, than that of well-disposed peasantry.

With reference to the proprietors, attornies, managers and overseers, I am sorry to remark that I have not met that friendly disposition to forget former power, and to look to the people with some little guardianship; this of course arises from this respect, that the real proprietor, who is, in the end, the principal, is not now in the Island to nourish his own interest, by taking care of his apprentices, and thereby making them attached both to the master and to the soil. By such a plan the apprentices would, at the end of the apprenticeship, look to the master with affection and respect; they would be certain also to stay at work on his estate, in preference to any other. I fear, in honesty, with the present prejudice towards England's emancipation, that nothing very favourable can he reported by me, as the masters and overseers have never, to my knowledge, evinced any symptom of kindness or attention towards the black population.

I have, &c.
(signed) *Henry Walsh*,
Special Justice.

His Excellency the Marquis of Sligo, &c. &c. &c.

(No. 26.)

My Lord, Crawle River, Great House, Clarendon, 1 July 1835.

I HAVE the honour to acknowledge the receipt of your Excellency's circular of the 17th June, requesting a particular account of the state of my district, describing the disposition, industry and behaviour of the negro population, the treatment they receive from masters, managers or book-keepers, and whether complaints have decreased on either side since my assumption of office.

In obedience to your Excellency's instructions, I beg to state, that my impression of the negro character would lead me to describe it as docile, uniting respect and confidence for the laws, and a feeling of kindness towards the authorities who administer them, with temper and integrity. As an evidence of their industry, I can adduce as a fact, that on every estate in this district they have freely and willingly worked for hire. And when your Excellency considers

considers that the hours they devote to extra labour are those generally given to sleep or recreation, it must remove the stigma of universal and overpowering indolence so often imputed to them.

The complaints usually preferred against the apprentices are neglect of duty, insolence, insubordination and petty thefts ; these charges have decreased in my district more than one half; in fine, my Lord, the population in this part of Clarendon may be conscientiously described as peaceable, obedient, industrious and contented.

I have further the honour to state, that the conduct of all those in management, under the denomination of masters, overseers and book-keepers, with a solitary exception, may be described as humane. They rigidly exact labour, obedience and respect; in the latter they are over fastidious ; but no one act of cruelty or oppression has come to my knowledge but in the previous exception, and that was of a modified character. In conclusion, my Lord, I am bound to state, that a reciprocal feeling of good-will and forbearance between the employers and the employed is gaining strength, and that the superintendence of the same benign and merciful providence, which urged and promoted the extraordinary and unprecedented measure of gradual emancipation, is still watching, promoting and guiding its final completion.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &e. &c. *Thomas A. Dillon.*

(No. 27.)

District of Manchioneal, St. Thomas in the East, 30 June 1835.

It affords me much pleasure to state, that this district is quiet, and the apprentices behaving themselves well. The apprenticeship system is evidently much better understood by all parties, and there is consequently less confusion, with a marked diminution of complaints.

I have on no occasion had reason to find fault with either proprietors, managers or overseers ; all have obeyed the laws, and treated their apprentices with every consideration.

The estates are certainly back in their cultivation and crop to what they were last year, but I impute that chiefly to the loss sustained from the general misunderstanding that took place in this district as to the interpretation of the laws, from the 1st of August to the 1st of January.

The estates' constables are using their authority with discretion, and the people kept in check by them. I have not now to complain against watchmen, and stealing is less frequent. There is a general inclination to work for wages, and many estates have employed their apprentices during their own time to dig cane-holes, at the rate of 12 for 5 *d.*, at which they make excellent hire, and in many instances the people apply for such employment. I fear, however, they are hoarding up their money for the purpose of purchasing lands after the apprenticeship. The women are now obedient, but they do not work in their own time so generally as the men. The only exception to this favourable report, and I conceive it a very serious one, is, that the free children still continue to be brought up in idleness, and no consideration will induce the parents to place them under the care of their former owners. No measures have been adopted in this district for the education of children under six years of age.

(signed) *James Kennet Dawson,*
Special Justice.

(No. 26.)

Sir, Hampden, St. James's, 29 June 1835.

For the information of his Excellency the Governor, I take leave to make the following statement as regards the working of the new system in my district :

The estates generally have nearly finished crop ; with some few exceptions the estimates have been realized.

The cultivation of most estates is going on to the satisfaction of those concerned, and I have no doubt but it will continue with that success which is generally expected by every well-wisher of the country; and that next year's crop will equal, if not exceed, the present one. The quality of the produce made never was surpassed.

Crime has also diminished in a surprising degree. The master and apprentice seem to entertain a more reciprocal good feeling towards each other; in most instances the latter appear to appreciate any indulgences shown them, and, in my opinion, to a degree that their masters always feel pleased to observe.

The usual indulgences have not been withheld, such as clothing, hospital attendants, cooks, nurses, watchmen for their grounds, rum, sugar, herrings or salt-fish.

The managers of most estates are respectable and prudent persons, which circumstance will ensure from the apprentices a proper demeanour towards them. They are encouraged to attend any place of worship which they think proper; and a vast number of them have already been taught to read and write.

Whenever the apprentices are desirous of disposing of their own time to their masters for money, they have every facility and encouragement held out to them; but of course, in all

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societies there will be found some sulky and ill-disposed persons who will not work, or enter into any arrangement.

In cases where children under six years of age, or free persons, are brought to the hospital, they receive the same care and attention as when they were slaves, although the medical gentlemen have no remuneration for this act of humanity.

I have, &c.

W. G. Nunes, &c. Secretary, &c. &c. &c. (signed) *R. Cocking*, Special Justice.

(No. 29.)

My Lord, Vere, 1 July 1835.

I BEG leave to have the honour to state, in reply to your Lordship's circular of the 17th ultimo, as to the state of my district, that I feel much pleasure in being able to report to your Excellency that the feeling between master and apprentice in this district is most satisfactory. The apprentices now all seem perfectly contented and happy; their behaviour, and the willingness they showed in most instances to give up a portion of their time to obtain both money and allowances, and the great anxiety they have shown to take off the present crop, was most exemplary, and a perfect good understanding now exists between all parties. I am also happy to state, for your Excellency's information, that in my opinion the attornies and managers have done all in their power towards the well-working of the new system; in many instances they have given the customary allowances to the free children as well as to the apprentices; they also allow cooks, nurses, and watchmen for their grounds; which, my Lord, by their so doing, I attribute in a great measure the present prosperous state of this parish, and the good behaviour of the apprentices. I beg leave also to state, for your Excellency's information, that complaints are becoming far less frequent, and of a more trivial nature in most instances, than when first I assumed my duties; I rarely now have any complaints from the apprentices against their masters or managers, except in some cases where they are ignorant of the law, which when explained to them makes them perfectly satisfied.

In conclusion, I beg to add, for your Lordship's information, that the shipping in the bays dependent for their loading in this district, have sailed with great regularity, and, in many instances, earlier than the preceding year, while it is consistent with my own knowledge that the quality of the produce made has been such as to procure the highest prices at market.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *James Nolan*.

(No. 30.)

My Lord, St. David's, 30 June 1835.

I HAVE the honour to inform your Excellency, that I consider the negroes in my district as well disposed, from their having on every occasion of my applying to them entered into arrangements to work during crop seven hours per day beyond the time fixed by law, for no other remuneration than that of receiving the common allowances, which have always been given as matters of course. They have been industrious it is evident, for on coffee plantations they have picked three bushels per day, when it was fully ripe, being the greatest quantity expected, even in by-gone times; and when required they have worked in their own time, at the rate of 10 *d.* per bushel. In this district there are 10 sugar estates. I took an account, furnished by the overseers and proprietors, showing the average quantity of sugar made last year, and this year, per week; notwithstanding the diminution in the time of labour and the substitution of the constable's wand for the driver's whip, the deficiency per week amounted only to 9½ hogsheads.

I am led to believe, both from my own observation and the information which I have received on the different properties in my district, that the crop of next year will more than equal that of this. The behaviour of the apprentices is good and forbearing. Since they have become acquainted with the law, they are not disposed to prefer frivolous complaints. I wish I could state the same of the managers and overseers: the dissatisfaction of many of them with the new system is so great, that one would be led to think the non-working of it, however inexplicable it may appear, would give them delight. Their manner of speaking to and of the negroes is haughty, intemperate and disgusting in the extreme; their disposition to have corporal punishment inflicted is manifested on almost every occasion of preferring complaints; a bad way truly, to introduce those grateful and good feelings which should subsist between master and man, and of inducing the latter to look up to the former with respect and regard; and yet, strange to say, they are found in their intercourse with society in general to act with apparent kindness and good nature. That there are men amongst the planters possessing humane and generous feelings, I am happy to bear testimony.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Patrick Dunne*, Special Justice.

(No. 31.)

Sir, Saxham-hill, Green Island, Hanover, 30 June 1835.

In compliance with the desire of his Excellency the Governor, as conveyed in your letter of the 17th inst., I have the honour to report that the present state of this extensive and populous district is, generally speaking, satisfactory. I might, perhaps, be justified in going still further, and saying that it is particularly so, if contrasted with the situation in which I found it on the assumption of my duties about six months back. At that period, and for very many weeks subsequent to it, complaints, which on investigation but too often proved well founded, were constantly being made by the managers of properties against the apprentices for idleness and insolence; and even charges of a more serious nature were not of unusual occurrence. I am now, however, happy in being able to state that a considerable change for the better has taken place in these respects; crime is certainly on the decrease, and more kindly feelings appear to be growing up between master and apprentice.

With reference to the mode of treatment which the apprentices receive from their employers, I cannot perhaps better illustrate it than by adducing the fact, that since I have had the honour of acting as a special magistrate in this district, not more than two cases of oppression or cruelty have come under my cognizance. In the first of them, although the allegations were made before me on oath, and the circumstances which occurred clearly detailed, the plaintiff, from what cause I have never been able to discover, did not appear when the case was called on at the subsequent session. In the latter instance I inflicted a fine on the offender.

Before I conclude, I have no hesitation in stating it to be my belief, that as the bad feeling which slavery naturally engendered in the minds of the negro population wears off, so in proportion are they becoming and will become obedient, industrious and in every relation useful members of society.

I have, &c.

W. G. Nunes, Esq., Secretary. (signed) *J. Odell*, S. J.

(No. 32.)

Sir, Maroon Town, 29 June 1835.

In reply to your letter of the 17th inst., I have the honour to state, for the information of his Excellency the Governor, that since I entered upon my duties as a special magistrate, (which was in April last,) the conduct of the negro population has been, with scarcely an exception, orderly and respectful in my district.

The number of complaints has decreased, and the apprentices are doing much more work; but I am sorry to add, that I attribute this more to a fear of punishment than a good disposition towards their masters.

The treatment they receive from their masters and overseers is correct, as may be inferred from the very few complaints I have had made by apprentices against their masters, and those of a very frivolous nature. On one estate there has not been a single instance of complaint of any kind on either side since I have undertaken the duties of a special magistrate.

I have, &c.

W. G. Nunes, Esq., Governor's Secretary's Office. (signed) *William Elliott*, Capt. 37th Regt., Special Justice.

(No. 33.)

My Lord, Kingston, 1 July 1835.

In reply to your letter, dated the 17th of June, calling on me for a report of the state of my district in respect to the dispositions, industry and behaviour of the negro population, the treatment they receive from their masters, managers and overseers, and whether complaints have increased or decreased since I assumed my duties, I beg to state, that the negroes are disposed to be very idle when not working for themselves, and are also considerably addicted to thieving, for which their vicinity to Kingston affords inducements and facilities. I consider that they have worked much better since I came to the district. I at that time received complaints from the overseers of several properties of the idleness of their gangs. In every instance where the charge was proved, I ordered the gang to compensate the estate by working in their own time till the loss by their idleness was made up for by their additional labour, having taken care to ascertain what might be considered a fair average of labour in the work on which they had been employed. In every instance, the quantity of labour which I required to have been performed or to be made good was perfectly satisfactory to the overseer; but to convince your Lordship it was nothing unreasonable to require from the apprentice, I have known, in several instances, the same work to have been finished before 11 o'clock in the day.

I have found that acting on this plan had a very good effect on the subsequent working of the gangs on such estates, as I have acted in the manner I have mentioned; and I have no doubt the example had a good effect on others, as I have received very few complaints against the masters or overseers of properties, and that I give the apprentices abundant

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opportunities of making them, by visiting the properties, even more frequent than I am obliged by law. I can safely make a favourable report as to the general conduct of the masters and overseers in my district towards their apprenticed labourers. As regards the increase or decrease of complaints since I commenced, I have hardly been acting a sufficient length of time to give a decisive opinion, but I think there is a strong tendency towards their diminishing, and I feel confident that in a short time I shall have as few complaints as can reasonably be expected to arise among so many persons requiring some coercion to make them mutually perform those duties which the law imposes.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *R. Fitzgerald,*
Special Magistrate, St. Andrew's.

(No. 34.)

My Lord, Annotto Bay, St. George, 30 June 1835.

Since the transmission of my report of 17th March last, I have observed a gradual amendment going forward amongst the apprentices in my district. In my former report I stated that the negroes, excepting the most intelligent, did not work freely for wages in their own time, but since that period, (while hire for field work is still refused,) agreements have been entered into on fair terms with the mill gangs upon every estate under my charge, with the single exception of Craig mills, where they have not been required to do so. This has tended very much to produce a feeling of satisfaction on both sides, which is evinced by the very few complaints brought forward either by manager or apprentice respecting the quantity of work done in the manufacturing of sugar. All through my district complaints have considerably decreased both in number and character, those now brought forward being most frequently for cases of individual violations of law, rather than, as before, for instances of insubordination or combined resistance. Habits of industry appear to become more general, but time alone can decide whether I am justified in believing them permanently established or not. So far as I can judge of their disposition, the negroes seem better inclined to work fairly than hitherto, whilst their conduct and behaviour, as a body, is as orderly, as docile and as respectful as could possibly be expected from a community so large and uninstructed, who have been so suddenly elevated from the restraints of slavery to freedom.

With regard to the treatment negroes receive from their masters, managers and overseers, I believe they are well treated, and that there are very few instances of oppression or cruelty is proved by there being but few complaints made by apprentices. Masters seem anxious to get a fair proportion of work done, but I am inclined to believe they do not attempt to impose upon the people, by exacting more than the law sanctions; and in most estates in my district the indulgences which the people were accustomed to are still allowed.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *E. Fishbourne.*

(No. 35.)

My Lord, Retreat, 30 June 1835.

I am happy to be able to inform your Lordship of the quiet and peaceable state of this district; and to show there is no wish on the part of the apprentices to leave the crop on the ground uncut, I this moment received a letter from the overseer of the largest estate in the district, to say that the people on Golden Grove were getting on very well; that crop would be finished in a fortnight, and that at that time they would have made 550 hogsheads of sugar, as much, if not more, than they made last year, or in fact any other year. I have always found the disposition of the apprentices, generally speaking, very good. I never gave them an order to work in their own time, (for perhaps some neglect,) but they obeyed most strictly, and the overseer generally tells me that on those days I have ordered them to work, they have always worked best.

As to the treatment they receive on all the estates in this district, I think it is very good; they get for giving up their four hours and a half a week, and for keeping the mill about during shell-blow, all the usual allowances granted in the slave time, which far exceeds what the vestry orders annually to be given. I must say of the three characters, master, attorney and overseer, that from the two former the apprentices generally receive many kindnesses; but in most instances the overseers appear to wish to put them in the cells for perhaps the most trifling circumstance, and nothing they appreciate so much in a special magistrate as that of being fond of giving severe floggings. I have heard them talk a great deal about the loss the estate sustained by a man being a quarter of a day away from his work; but if they could put the same man in the cell for 24 hours, they would never make a complaint of the loss the estate sustained by his being there. I do not think I can give your Lordship a better proof that complaints on both the master and apprentice's side have decreased very considerably, than by referring you to my last three weeks' report, and also by stating, that when I took charge of this district the daily number of requisitions was from six to eight; now I do not get so many in a fortnight. The number of people who came here

here on a Saturday was generally from 40 to 60, with complaints against their employers; now I seldom have more than four or five. I must say it gives me a great deal of pleasure to see how quiet and well everything is going on, and to hear persons own it to be so who are not at all inclined to allow that the new system could possibly succeed, or that the apprentices could ever be made to do anything but as they liked themselves. JAMAICA.

I have, &c.
(signed) *Henry Blake*, Special Justice.

(No. 36.)

My Lord, Unity, Rocky Point and Port Morant District, June 1835.

I HAVE the honour, in obedience to your Lordship's letter of the 17th instant, to make the accompanying report of the state of my district; should it not be so full as I could wish or your Excellency expect, I must beg that kind consideration that has ever been evinced to a person placed in my situation, having been little more than three months in charge of this district as special justice. I have endeavoured, from close observation, to come to a just conclusion as regards the relative situation of master and apprentice.

The apprentice is perfectly conversant and tenacious of his rights and privileges, which he will not allow in the slightest degree to be infringed, although he is not so mindful of his master's rights, having, from long habits, considered himself entitled to a share of his employer's property. Generally speaking, I regret to say I do not think the apprentices of either sex work cheerfully; what they do is done as a task, to avoid punishment, rather than as labour due to the master. If they turn out regularly at the stated hours, to make up for that act of obedience, they will not do more in the field than what will just answer their own purpose; yet, when task-work is given them, they generally finish so as to gain a couple of days in a week, in addition to those they are entitled to. Complaints are certainly less frequent than when I first entered upon my duties: the negro will try to the utmost a new magistrate or an inexperienced overseer, and when he finds his efforts fail, he becomes tractable and obedient. They are a peaceable quiet race; you seldom hear of a robbery that may be termed such. They are more attached to places than to persons, and I think this is the stronghold the planter will have at the expiration of the apprenticeship. The overseer's situation is an arduous and an anxious one. Some, from the falling off of produce, are fearful that their employer should be dissatisfied; this, perhaps, makes them expect more from the labour of the apprentice than they ought in reason to do. The tie that should bind master and servant seems in a degree lost, and both look more to the special justice than to each other. I have invariably found the master or overseer kind to his dependants, giving them all the allowances that they formerly enjoyed; to the infant free children protection, medical attendance, and such comforts as their mothers might require. I do think, from the limited observation that I have been able to make, that the planters in this part of the country, so far from throwing any obstacle in the way of the Abolition Act, aid it in every way in their power. This part of the country is differently situated to most others: the negroes are rich, have large possessions in grounds, and the workpeople that I employ to put my house in order ride on their horses to do my work; consequently, extra labour is not such an object to them, their grounds being more valuable to them. I state this to your Lordship as a reason why some do not so readily work extra time for hire. I trust your Excellency will excuse any matter that I may have introduced into this report as not being exactly confined to the information required, but, not having been long enough on this station to give a report of this nature, and aware that your Lordship's aim has been to gain any and every information that may be of advantage to this Island, I have presumed to state all that I could acquire from observation or information.

I have, &c.
To his Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Thomas J. Baines*, Special Justice.

(No. 37.)

My Lord, Buff Bay, St. George's, Jamaica, 27 June 1835.

I HAVE much satisfaction in stating, in reply to your Lordship's circular of 17th instant, that the conduct of the apprentices in my district has continued to improve since I had the honour of sending a report to your Lordship on the 24th March last.

There has been only one case approaching to insubordination since that time; of course, out of so large a population, many persons are daily brought before me charged with neglect of duty, idleness, insolence, &c.; but the general conduct of the apprentices is decidedly good: they appear to be satisfied, and work cheerfully. On almost every estate in my district they work readily in their own time for a remuneration, and the managers in general seem to feel that conciliation is the best mode of getting them to work well.

I have always pointed out to the managers of properties the advantage of this course, and it is most pleasing to me to be able to state that complaints against them are extremely rare.

Complaints against apprentices have decreased to a certain point, below which it is not probable that they will fall, as every fault, of however trifling a nature, must be brought before the special justice, the law permitting no one but himself to punish an apprentice.

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But your Lordship has no doubt observed, from my weekly reports, that the offences brought under my observation are of a trifling nature, and that the extent of punishment has very much decreased. Both apprentices and managers seem to be satisfied; and for my own part, I am convinced that the crop of next year will prove, in my district, the advantage of the present state of things. It is but a short time since two gentlemen managing large estates (Low Layton and Shrewsbury) said in my presence, in speaking of the good conduct of their apprentices, and the ease with which they were managed, "that they wished that the present system was to be a lasting one."

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *Wm. Hewitt*, Special Justice.

(No. 38.)

My Lord,

Chester Vale, Port Royal Mountain, 1 July 1835.

In compliance with your Excellency's commands, conveyed in Mr. Secretary Nunes's letter of the 17th instant, to state the disposition, industry and behaviour of the negro population, and the treatment they receive from their masters and managers, and whether complaints have increased or decreased since I assumed my duties, I beg then most respectfully to inform your Excellency, that the negroes in general throughout this district seem well disposed, and I think perform their labour willingly; that, with some few exceptions, the masters or overseers appear to treat them with kindness; and the women give much more trouble than the male apprentices, from an unwillingness to go to the field at shell-blow; but that, on the whole, I do not think complaints have increased since I arrived in these mountains.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *H. Kent*, Special Justice.

(No. 39.)

My Lord,

Torrington Castle, 30 June 1835.

I have the honour to inclose herewith my weekly report; and in reply to your Excellency's letter of the 22d instant, I beg leave to state, that on every occasion that the apprentices of my district have been asked to labour in their own time, they came forward cheerfully; and at present many are employed in pruning trees upon the plantations of Kingston and Mount Olivit, and many are employed in their own time in building walls.

I have, &c.

To his Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *J. Reynolds*, S. M.

My Lord,

Torrington Castle, 30 June 1835.

In obedience to the instructions contained in a letter, dated King's House, 17th instant, I have the honour to acquaint your Excellency, that the apprentices upon the large plantations in my district are conducting themselves exceedingly well, but they are in many places unkindly treated by masters and overseers; and when I first took upon myself the duties of Santa Cruz these persons imagined that one word in the shape of complaint was sufficient to produce severe punishment, but now that these persons are acquainted with the views that I have taken in such cases, they have nearly laid aside idle and silly complaints.

It is also right for me to acquaint your Excellency, that in the Savanna there are many small settlers, people of colour, who treat their apprentices with severity; but I have no hesitation in stating to your Excellency, that the negroes of this district show every disposition to establish a character, becoming industrious and well-behaved people.

I have, &c.

To his Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *J. Reynolds*, S. M.

(No. 40.)

Warwick, Carpenter's Mountain District,

My Lord,

Parish of Manchester, 1 July 1835.

In obedience to the orders of your Excellency, I beg to subjoin the following report of this district:

The negro apprentices of this district are orderly and generally well disposed. Labour goes on regularly, with comparatively little necessity for coercion.

Crime is extremely limited, the worst feature thereof being the occasional plundering of provision grounds; this I am using the strongest measure the law affords to put a stop to.

The apprentices are everywhere humanely treated by their masters or managers. Ample land is given for the cultivation of provisions; they have their hogs and poultry, and many keep their horses. Their appearance on Sundays is superior to that of European peasantry in general.

general. Beggary or want are strangers to the land. Complaints of apprentices against their masters or employers are rare; where they do occur, it generally happens that the apprentice, on investigation, has been the aggressor.

I have every reason to think that the apprentices labour as well as when they were slaves. Some planters complain they cannot keep the same quantity of land under cultivation; but this must be understood with reference to the time formerly allotted to labour, compared with that now given.

Wherever the negroes work for hire they seem to work harder than at their ordinary labour; I see no disinclination to work for hire. Some planters complain latterly that the negroes neglect their own grounds in order to hire themselves out. As they have time enough for both purposes, I attribute such neglect, where it does occur, to idleness, and perhaps in some measure to the dry season.

The future must of course be problematical; but the present system, where the law is judiciously administered, I consider equally advantageous to both master and apprentice; nor do I see reasonable cause to anticipate a decrease of the staples of the Island.

In fine, I believe the peasantry of this Island to be better off, and more happy, than any other in the world, and am certain, on their transition to absolute freedom, they will encounter many difficulties they have hitherto never had an idea of.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Arthur Welch*, Special Magistrate.

(No. 41.)

My Lord, Savanna-la-Mar, 29 June 1835.

I HAVE the honour to acquaint your Excellency with respect to the negro population in my district, and the treatment they receive from their masters, managers and overseers, as I hear no complaint to the contrary, I should certainly consider satisfactory, and complaints on both sides evidently decreased rather than increased.

The general demeanour of the apprentices is decidedly marked as being respectful, and with few exceptions doing as much work, and in some instances more by nearly one-fourth, than this time last year.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Thomas M. Oliver*, Special Justice.

(No. 42.)

My Lord, Lyndons, Westmorland, 29 June 1835.

I HAVE the honour to acknowledge the receipt of your circular of the 17th instant, and in reply thereto beg leave to observe, the apprentices in this district appear generally satisfied; a good feeling appears to exist between the masters, managers and apprentices, who are, I am assured by many of the most respectable gentlemen, conducting themselves with propriety. The treatment I have observed the apprentice to receive from his master is generally humane and kind, and I attribute the good conduct of the apprentices to the management of those in authority over them.

These properties on which the managers have assisted the working of the system are doing well, and promise fair crops the ensuing season; but on those estates on which a contrary feeling has existed have suffered in short crops this year, and will fall short next crop. I am glad to be able to observe there are but one or two estates in my district that are conducted in the last-mentioned way, and I flatter myself (with the assistance of one or two respectable gentlemen,) I have overcome the difficulty by making the managers sensible of their error, and thereby remedying the evil.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *B. Edwards*, Special Magistrate.

(No. 43.)

My Lord, Houghton Grove, Hanover, 3 June 1835.

WITH reference to your Lordship's circular of the 17th inst., I have the honour to report to your Excellency that the apprentices in this district are now conducting themselves tolerably well, much better than they have hitherto done; and I have reason to hope that the field labour will be carried on satisfactorily since the taking off the crop has ceased.

Upon the whole, I have much pleasure in being enabled to state to your Excellency, that complaints of masters against their apprentices are evidently on the decline, and complaints of apprentices against their masters are very rarely preferred.

The attorneys and managers in this district are desirous of giving every facility towards cultivating a good and proper understanding with their apprentices, and have not generally withheld those allowances which, before the passing of the Abolition Law, were granted (to women with children more particularly) as a favour, not as a matter of right.

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Whenever it has happened in individual cases that those indulgencies have been withheld for misconduct, I will do their masters the justice to say, that they have at all times paid attention to my suggestions.

In conclusion, I have reason to hope that the apprentices in this district are now becoming more industrious, as I can perceive a more cheerful disposition on their parts to obey the orders of their masters.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *Simson Farrar*, Special Magistrate.

(No. 44.)

My Lord, Montego Bay, 30 June 1835.

I HAVE the honour of transmitting for your Excellency's consideration the following documents; viz., report for last week, the monthly report of estates visited, and the report required by the circular letter of the 17th instant.

In the course of last week other four estates within my district have finished crop. Paisley on the 24th, making 111 hogsheads, being five more than last year. Crawl finished on the 25th, making 84 hogsheads, being two less than last year. Hartfield finished on the same day, making 93 hogsheads, being 11 less than last year; and Glasgow finished on the 26th, making 168 hogsheads, being 28 hogsheads more than last year.

I have, &c.

His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *Walter Finlayson*, Special Justice.

St. James's, 30 June 1835.

IN obedience to the circular letter of the 17th inst. the following report, applicable to the north eastern district of the parish of St. James, is humbly offered.

There are 24 sugar estates in the district allotted to the reporter, each of which he has visited at least eight times since he assumed his duties on the 30th of April last.

The parish of St. James has been always regarded as one of the most disturbed and discontented in the Island.

Immediately after the 1st of August, the apprentices upon many of the estates have been described as inattentive to their work, and disobedient to the orders given to them. But a very favourable change has since taken place, and upon the greater part of the estates the apprentices are now working to the satisfaction of their managers. Offences are no doubt committed by individuals, which must occur in all communities, though even these are becoming less frequent, in consequence of their being followed by immediate punishment; and the reporter has the satisfaction of stating that in the course of his weekly visits to the estates within his district, he now finds that upon nearly two-thirds of them no complaints whatever are brought forward. In order to show that complaints are decreasing, it is merely necessary to mention that in the month of May last there were 71 complaints, while in June there were only 58 complaints.

The reporter has no hesitation in stating that in general the apprentices in his district are industrious and well-behaved.

On the other hand, making allowances for differences of character and temper, he is of opinion that the apprentices are well treated by their masters and overseers. Complaints have sometimes been made (though this has happened very seldom) by the apprentices against their employers; but these have been generally of a trivial description, and were at once obviated upon explanation; and the reporter has not had occasion, since he came to the parish, to impose a single fine upon any overseer for injustice or improper treatment to those under his care.

As being somewhat connected with the industry and good behaviour of the apprentices within his district, the reporter begs leave to mention that seven estates have finished crop, and upon these there has been an increase of 49 hogsheads as compared with the return of last year.

(signed) *Walter Finlayson*, Special Justice.

(No. 45.)

My Lord, New Ramble, St. Mary's, 30 June 1835.

I HAVE the honour to forward my report for the past week, and my monthly return of properties, and dates when visited. The weather is now very favourable, and the various sugar mills occupied in taking off the crops, hurrying to get as much produce as possible to load the ships before the 1st August. The apprentices conduct themselves in an orderly and industrious manner, and give satisfaction generally to their managers in this quarter. Your Lordship will observe in my report, that I visited on the 29th, five estates; not a complaint made by the managers. On Oxford, Brimmer Hall, Tryall and Trinity, the old allowances are given. The apprentices do not quarrel about an extra hour's labour; wages besides are given, and the managers have no occasion to trouble the magistrate. The four estates,

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estates, called Bayley's, Tryall, Trinity, Brimmer Hall, Roslin, are in the best order, under the superintendence of Mr. Charles Stewart of Tryall; and I learn from him, that he expects the apprentices next year will do much better than they are doing this year. I have not had occasion to inflict corporeal punishment on one man on these estates. The apprentices have every other Friday, when the mill is not about, which they prefer to the eight hour system. I observe, that where the manager is disposed to meet the wishes of the apprentices in this manner, they in return do anything to please him. I am happy to say, the labourers in this quarter evince the best disposition to work for wages, where they can trust the manager. This does not rest on my assertion alone, but can be fully proved by the managers themselves.

I have the honour to acknowledge the receipt of circular, No. 3,523. I never send an apprentice from an estate to the penal gang, unless useless on the estate, but sentence them to hard labour on the property. My district is not so extensive as to prevent my knowing how such sentences are carried into effect. Visiting every property once in the week enables me to see that no cruelty takes place as regards confinement, or not feeding the apprentices, and that they are not kept so continuously at work as to prevent the cultivation of their grounds. The time lost from corporeal punishment has not been demanded from any one in this quarter, as far as I know; for I take care that the punishment shall not lay them up, as I am aware, that if an apprentice receives 39 lashes at Port Maria, his back is very much injured. I consider 20 or 25 stripes quite sufficient to induce future good conduct, unless in very gross cases.

I have the honour to acknowledge the receipt of circular, No. 3,449, and beg to state to your Lordship, that in case of sentence to corporeal punishment, and there is no instrument on the property, I send the delinquent to the superintendent of the house of correction at Port Maria, to receive the punishment. He has a man called a boatswain, following the penal gang, and a triangle is placed in the market-place, where the punishment is inflicted, and operates as an example, by the boatswain. If the sub-inspector of police can be had to attend these punishments, I will always do so, in obedience to your Lordship's orders. I gave orders to the superintendent not to inflict the sentence, if he had reason to believe the man was unable to bear it, or to receive all the stripes in the sentence.

Mr. Lambert attended at Port Maria, with Mr. Thomas, the Saturday I was absent from my district. I went to Montrose on Thursday last, to see Mr. Lambert, and give him every information in my power. I expect him over here to visit with me for a day; but from what I could observe, he has acquired a good knowledge of the law by attending at Kingston. He appears to be aware how different the practice in the country is, from that in the towns.

I have, &c.
(signed) *Wm. Marlton*, Special Justice.

My Lord, New Ramble, St. Mary's, 30 June 1835.

I HAVE the honour to represent to your Lordship, that the district under my charge is in an orderly and quiet state. Having been here six months, I am enabled to state, that a decided improvement has taken place in the conduct of the apprentices, which I attribute solely to their better acquaintance with the Abolition Law; and I am fully satisfied, that a fair adherence to that law, on the part of the managers, is alone wanting to secure the success of the new system. Complaints have decidedly decreased on both sides, and there is the best disposition on the part of the labourers to dispose of their own time, so that the estates may not suffer from the diminished hours of labour. Managers are so tied down, that they have it not in their power generally to exert themselves to make free labourers of the negroes. An opinion generally prevails, that at the expiration of the apprenticeship the population will no longer labour at sugar making. On no one estate in my district is the Abolition Law strictly in force, but generally a medley of the old and new system. The only control in the hands of managers over the apprentices, is "salt," so termed; where it is given freely the negroes work freely, and are not particular about an hour. The want of uniformity in the regulation of the hours of labour is much felt; but there is now more confidence, on the part of the labourers, in their managers, than some months since. I have not had any difficulty during crop with the apprentices connected with keeping the mill about for 18 hours; no refusal to do anything in their power to take off the crop for a fair remuneration. I consider the disposition of the apprentices very good; for if they chose to abide by the law strictly, they would have it in their power to annoy the managers much, and spoil much sugar. There is, in my opinion, a much better feeling, on the part of the apprentices, than on that of very many managers. The dislike of the Abolition Law, on the part of the latter, has not yet subsided; and on any little misunderstanding, they talk of killing the negroes' hogs, and sending their horses to the pound, conceiving by such means to force the apprentices into their views, in place of reasoning and showing the advantage of labour for money. In conclusion, my Lord, it is my conviction, and is fully shown in my district, that prudence and good management alone are wanting to ensure the success of the Abolition Law.

I have, &c.
To His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Wm. Marlton*, Special Justice.

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(No. 46.)

My Lord, St. Andrew's, 30 June 1835.

In reply to Mr. Nune's circular, dated 17th June, I have to remark, that in my district, including 20 coffee plantations, and some small pens and other properties, tranquillity and, I think, prosperity, prevail. With few exceptions, the masters are attentive and humane persons, respectful to the magistrate, and obliging to the apprentices. The latter are civil, and considering their condition and the entire neglect of their education, intelligent and industrious; far more so, I think, than could have been expected.

There are three or four exceptions to this remark. In one case, the overseer has been ill for months past: the head driver is a spiteful person, bad character; and the bookkeeper a very rough, unruly and troublesome person. In another, there have been great complaints in consequence of the removal of the people from their provision grounds, the cause of which has now been removed; and in a third, the proprietor keeps neither overseer nor bookkeeper, and he, living at a great distance, is occupied too much with his business as vestry clerk to be able to attend to the people.

Where there are good overseers, respectable constables, and accurate, good-tempered bookkeepers, everything seems to me to be going on quietly and prosperously; and I think this will be increasingly the case.

Patience, good-temper and good example seem to me to be alone wanting to render the new system more profitable and more lastingly secure than the old one.

Schools for the free children, and indeed for all, are very much wanted.

I have, &c.

(signed) *H. Bourne.*

P. S.—My report will show that complaints on both sides are very few, less, I should think, than amongst the same number of persons in the mother country.

(No. 47.)

My Lord, St. Ann's, 30 June 1835.

I have the honour of reporting to your Excellency, that the most perfect order and tranquillity prevail in every part of this extensive district, and that a very marked improvement has been apparent for some time past in the quantity of labour performed by the apprentices. Several respectable proprietors and managers admit that, making allowance for the difference of time under the old and new systems, as much labour is now performed as formerly. The people are extremely civil in their deportment, and appear to labour with infinitely greater cheerfulness and satisfaction than they formerly did. They also appear sensible of the many advantages they now enjoy, and pay much more attention to the cultivation of their grounds than was the case at the commencement of the apprenticeship.

I have also the satifaction of stating to your Excellency, that on several properties, where insubordination manifested itself during the month of August, and when I was under the disagreeable necessity of making some severe examples, the people are behaving with the greatest propriety, and in almost every case, to the entire satisfaction of the respective proprietors and managers. I may instance particularly Crescent Park and Belmont, where the managers are now perfectly satisfied with the conduct of the people and the amount of labour.

I had lately the gratification of admitting as a constable at Murphy Hill, the very first person I was under the necessity of punishing for insubordination and active resistance to the law. He was admitted at his own urgent request, and with the approbation of his master, who states, that he has shown the utmost contrition for his conduct, and that his behavour in every respect now merits his entire approval.

It is extremely gratifying to have it in my power to assure your Excellency, that complaints are daily becoming less frequent, both on the part of the manager and the apprentice, and that both parties seem now disposed to yield a willing obedience to the law.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c. (signed) *Henry Laidlaw.*

(No. 48.)

My Lord, Old Harbour Market, 1 July 1835.

I have nothing in particular to state relative to my district during the past week. The crop is fast drawing to a close, and will, I hope, present a gratifying return. The success of the Whim estate has been remarkable. This property made last year 140 hhds. and 60 puncheons, but has this year completed no less than 240 hhds. and 110 puncheons; and all this with a very trifling quantity of extra labour. Your Excellency's estate of Kelley's, regard being had to the comparative number of negroes, seems to have done still more than the Whim; and I am happy to add, that on neither property has there been a single corporal punishment since I have been a special magistrate in St. Dorothy.

I have the honour to transmit with this the report ordered by the circular of the 17th June, from the King's House; and I shall lose no time in making the inquiry your Excellency has directed respecting the properties where wages have been accepted or refused.

I have, &c.

Alex. N. Macleod, Special Magistrate.

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THE disposition, industry and behaviour of the negro apprentices at present, are clearly shown in two important facts.

The first is, that since the commencement of the apprenticeship, the negroes have invariably performed more work in a given time than they were in the habit of performing in the same space of time previously to the 1st of August. I have not met with a single individual in my district to contradict this asseveration; and in truth, all contradiction would be rendered ridiculous by a reference to the crops in the district for 1834 and 1835. The latter will be very nearly equal to the former, and will have been secured as early, although the length of time prescribed for labour in the apprenticeship, during the season of crop, is not equal to one-half the time that used to be employed in the crops during the period of slavery. In order to obviate all doubt, it may be right to mention, that the crop of 1834, although not very abundant, yielded a fair average quantity of sugar.

The second fact is, that the number of negroes, who since the 1st of August have been absent from their masters' properties as runaways, hardly exceeds one-sixth of the number that used to absent themselves in the time of slavery.

The treatment experienced by negro apprentices from their masters appears to be as good as it is reasonable to expect, and cannot be otherwise as long as the special magistrates do their duty. The present laws, if properly administered by these functionaries, are quite sufficient to render any continued course of oppression upon the negro absolutely impossible.

The complaints by negroes against their masters are far less frequent than they used to be at the commencement of the apprenticeship. I cannot say that the complaints of managers against apprentices show an equal diminution in the same period, but they are decidedly of a less serious character. A combined spirit of insubordination upon a property has now become a very rare occurrence.

Upon the whole, I believe the reciprocal feeling between master and apprentice to be as good as can reasonably have been expected, and infinitely better than was anticipated by the most sanguine a short time before the 1st of August. The general indisposition of the negroes to work extra time for wages proceeds from no sort of ill feeling towards their employers, but from an impression that they can make more by the cultivation of their grounds than the wages which have hitherto been offered. The information I have gathered persuades me, that as soon as the compensation money is paid, the masters will be able to offer such wages as will procure the employment of a very great quantity of extra labour. This has become essential to Jamaica proprietors; and it is my own humble opinion, that nothing is wanting to secure the prosperity of the Island, taking the whole of the period of the apprenticeship, except the speedy payment of the compensation.

I have, &c.

(signed) *Alex. N. Macleod*, Special Magistrate.

(No. 49.)

My Lord, Whitehall, St. Elizabeth's, 30 June 1835.

IN supplying a brief report of the state of things in this district, I am enabled to assure your Excellency, that amidst some things to discourage there are many indications of real improvement. Complaints, though still sufficiently numerous, have decreased on both sides. For the sake of method, I will place the observations I may have occasion to make under a few separate heads: and first, of the apprentice—incivility and insolence to those in authority on the property were amongst the most frequent complaints against them at the commencement of the change; women and young people, being peculiarly the aggressors, loose themselves from some of their former restraints, they set their unruly tongues also at liberty. This, though naturally enough to be expected, was by no means to be allowed. By resisting the offence in every instance, after the proper means for this purpose were provided, with moderate but certain punishment, and causing my determination to do so to be generally known, the evil has in a great degree been overcome. The cases of this kind brought before me at present seldom exceed two or three in a month. This I consider to be a great point gained; for the violent jabber of one often excited the rest, and beginning in insolence, it always led to more or less of perverse and wayward indolence, and often ended in positive insubordination. The old system never witnessed anything like the orderly behaviour which prevails among the negroes in this first year of the apprenticeship; I speak confidently as to this district, and from the best information.

Next to the complaint of insolence, and to which, as I have hinted, it often led, was that of open and audacious disobedience. This crime, however, I have the satisfaction to state, is now as rare, either in individuals or gangs, as it was at one time unhappily common. Better advance and the steady application of the law have corrected it.

Under another very important head, loss of time by late turning out and other means, I am unable to report quite so favourably; but my diary will show that complaints of this description are gradually diminishing, under that salutary clause of the law which, for the wilful loss of estates' time, imposes the forfeiture of an extra portion of their own.

A few weeks ago charges for pilfering were so numerous, that I felt almost compelled to conclude that dishonesty had increased; but I am assured by very competent authority that it is otherwise, that it is the discovery of the crime that is now more common, and not its perpetration; the crime itself could not have increased, for under the old system it was universal, the quantity of it was in proportion to the opportunity, and had no other rule.

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To obtain the best evidence I could on so material a point, I have taken occasion to ask the senior constable of the parish, an active-minded observing man, whose duty leads him into every corner, and among every class of the population, whether, in his opinion, there was more or less produce stolen by the negroes than before the first of August? He replied, "Certainly much less, for that the free poor people were now generally complaining that they could not get sugar, coffee, &c., as heretofore, but were obliged to go to the stores for them, and that such he himself knew to be the fact." I have since assured myself by other inquiries that this contraband traffic is notoriously reduced. I by no means intend to assert that dishonesty does not still prevail to a lamentable extent, but that, so far from having increased, as some affirm, the change of system has placed a degree of restraint upon the conduct of the apprentice, even in this respect, which did not before exist.

No charge perhaps has been of late more frequently urged in a loose and general way against the apprentices than neglect of their provision grounds. It is one which, if true, must be so serious in its consequences, that whenever I hear such remarks made, I always say, "Bring a specific charge; I will if necessary go myself to the ground with practical and impartial persons; only satisfy me of the fact, and the law, which provides so clearly and sufficiently for the evil, shall take effect." No such specific charge has, however, yet been brought forward; the neglect, therefore, has evidently not been ascertained, but is only suspected. Some of the more worthless never worked grounds, and there are such still. That provisions have been unusually scarce is unquestionable; but the respectable head people, to whom I have made a particular appeal on the subject, assure me that it does occasionally occur at this time of the year, but will be very temporary, as there is an abundance coming forward; that it is the interval just between the exhaustion of the old and the ripening of the new provisions and of the corn, which are late this season on account of the long period of dry weather.

I believe this to be the whole truth of the case. It is a circumstance which can scarcely escape one's notice, that the scarcity has not been confined to the negro, but has been equally felt by all other classes, and from the same cause; to them, however, it is a misfortune for which the season may be fairly blamed, but not so to the negro to have nothing is misfortune, everything is his fault.

With regard to the great point of all, the proportion of labour performed during the legal hours, I am induced to speak with somewhat less confidence, because opinions here, assertions at least, are to the best degree conflicting. As regards some estates, I have from the managers themselves the most satisfactory assurances on the subject, whilst others constantly and loudly complain of insufficient work. Wherever a charge of this nature has been distinctly brought forward and the proof adduced, I have always awarded compensation out of the negro's own time; and where a body of people were delinquents, in order to secure its performance and for the greater effect, have directed that the penal labour should be performed under the awe of a small detachment of police.

The application of these means has generally prevented a second complaint, always, I think, a third.

That a diminution of labour does not universally exist, even in the proportion of the diminished time of labour, is proved by the fact, that where it is performed by the task, as in peeling ginger, for instance, such daily task is the same as under the old system, and is pretty generally accomplished. I trust that by degrees it will be found possible to apply the task system to nearly all other kinds of labour. It would effectually secure an increase in quantity, and, if the task were reasonable, a more contented and cheerful performance of the labour itself.

It is an interesting circumstance in the present condition of things, as applied to sugar estates, that in this neighbourhood the plough is now taking place of the barbarous, unsightly hoe-gang, and with complete success. It is found, too, that even negroes can guide and manage it, that they can see straight enough, which till of late seems to have been generally disbelieved.

The introduction of the plough will be an immense economy of labour, and it is doubtless but one of many of which the drudgery of the old system abundantly admits.

But I cannot conclude my remarks upon the negroes without noticing the effect which the apprentice system has already had on their civilization. Having now spent more than a year in daily intercourse with the class and in parts of the Island where they had previously been least neglected, it must be owing either to prejudice or dulness if I am an incompetent judge. In speaking of improvement of this nature, I must be understood to limit it to mere matters of civilization and discipline, as regards most of them. Here and there is to be discerned, I think, the obscure beginnings of a sense of moral obligation and of religion; but in general they are still without principle. It is, however, to the intercourse, the knowledge, and the restraints derived from public worship and the ministers of religion that their civilization must be chiefly traced. I seldom see an instance now of the wild and unreasonable behaviour so common about the time of the change. They always behave with comparative mildness and self-restraint in my presence; they listen calmly to anything addressed to them; and, as one of the more sensible overseers said to me the other day, "Sir, I declare they understand me better." To be sure they do; and it is equally clear that they can make themselves better understood. I have scarcely a doubt that they have learnt more English during the last year than in the 10 preceding. Multitudes are preparing to marry, and in by far the greater number of instances they unite themselves with the proper persons, the mothers of their children. The woman feels elevated when she is a wife, and the man has more respect for himself from having done what was right. It removes a bar to their

attendance

attendance on Divine worship, and it will tend to fix them on the property to which they are now attached when free.

These are a few of the good signs. Nothing can be more peaceable and free from turbulence; no community can be living in more perfect security than the white population of this part of the Island, an immense boon, I should think. Generally, I may add, the negroes are becoming to understand their exact position, and on the whole to be not dissatisfied with it. It was otherwise to some extent at first. The actual change did not by any means realize the expectations they had been led to form of it; they now, however, see that in their approach to freedom, if there is much to be gained, there is something likewise to be surrendered.

Too much must not be immediately expected from them as the consequence of the change, their radical improvement will be a work of slow degrees; it will require a generation or two, with all appliances and means to boot, to wear away the debasing effects of slavery from the negro mind: it was a deeply-demoralizing system. The Creole negro, it is very evident, made a much worse slave, and in some respects a worse man, than the native African; he is neither so industrious, so docile, nor so honest. Cunning and duplicity appear to be wrought into the very nature of those born and trained in slavery; they wear their defensive weapons against unjust power. Old Guinea negroes, on the other hand, have always been pointed out to me as among the most inoffensive and trustworthy. Slavery has, therefore, been capable of ingrafting vices upon barbarism itself.

How deeply is it to be regretted, that a valuable year of the apprenticeship period should have passed away without any attempt to improve the race by the long-talked of system of education.

With respect to masters and managers, I see little in their ostensible behaviour that can be objected to: I fear, however, their benevolent feelings towards the negro are not on the increase. Some of them indeed seem to dislike him the more, now he is escaping from their power; they reproach the apprentice for retaining many of the habits and principles of slavery, whilst they find it impossible to divest themselves of the feelings and prejudices which slavery has unfortunately fixed on their own minds. We must, however, give them time to change as well as the negro; meanwhile, it would be well if some of them were not negro managers; for the feeling of the old system unfits them, in a great degree, for administering the new.

There is nothing impracticable in the apprentice system of labour, would all parties bend their efforts to make the most and best of it; it would not only work, but work well. Where it is failing to do so, the fault generally is neither in the negro, the law, nor the magistrate, but in the manager. A bad overseer is now often allowed to plead the new system in exercise for his want of success; whereas want of success, it is well known, whatever were the cause, was before crime enough to procure his dismission. Active, intelligent, persevering young men, unpractised in the bluster and growl of the old Busha system, who maintain a firm and uniform, but civil bearing towards the negroes; who treat them like fellow beings, and are quite aware that the most likely way to make a man a brute is to call him one and treat him like one; these are the kind of persons who will be found competent to grapple with the difficulties of the new system and overcoming them all, to work it successfully.

I have, &c.

(signed) *J. Daughtrey.*

(No. 50.)

My Lord, St. Jago de la Vega, St. Catherine's, 2 July 1835.

I HAVE the honour to acknowledge the receipt of Mr. Secretary Nune's circular of the 17th June, and in obedience to the order therein contained, I beg to report, for your Excellency's information, that the apprentices in this parish, which is under my immediate charge, have conducted themselves satisfactorily, with very few exceptions, during the present crop.

There are five sugar estates in this parish, besides plantations, pens, and the town of St. Jago de la Vega, making, as far as I can ascertain, a population of 7,000 apprentices. I have regularly attended the properties and the peace office, according to law, during the last month, in consequence of the death of Mr. Special Justice Clench, my associate, and the alarming indisposition of Mr. Special Justice Moresby, who succeeded him; and from the 1st of June to this date, there have been but 31 complaints preferred before me.

These, for the most part, have consisted of complaints of masters against their apprentices, who they have permitted to hire themselves out, for the non-payment of wages.

Of the complaints preferred by proprietors and overseers, two only have been of so serious a nature as to warrant corporeal punishment, and one, three months in the house of correction. The others have been preferred for the purpose of having the apprentices reprimanded for neglect of duty, and ordered to repay lost time.

On some properties hardly any complaints have been made since the 1st of August. I am therefore decidedly of opinion, that complaints have decreased, that the apprentices are better treated, and more contented than they were; and I have seen no reason to change this opinion from the observations made during my late official tours through several of the

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districts, and from the weekly reports sent me by the sub-inspectors of police throughout the Island.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *William Ramsay,*
Inspector-general and Special Justice.

(No. 51.)

My Lord, Falmouth, 29 June 1835.

I HAVE the honour to state, in answer to your Excellency's circular of last post, relative to the particular state of this district, it is my opinion the negro population is gradually improving both in morals, and, I should say, in habits of industry; particularly if I am to draw the inference from the time now, and previous to the 1st of August, at the commencement of my duties; and that complaints are on the decrease, both on the part of the managers and the people, is obvious from my reports; and it appears to me, there is a better understanding between both parties. It cannot be expected that so much labour is performed during the time specified by law, as when that time was unlimited; but I am of opinion, taking the number of hours, it is quite in proportion. I am decidedly of opinion, and am borne out in the same by practical men, that the cultivation of the sugar-cane can never be carried on by white labourers; and if that staple commodity is to be continued, it must be done by the black population. White labourers may do on pens or coffee plantations; and not even there, if we are to get no better characters than such as have arrived, who turn out drunkards, and set the apprentices a very bad example.

I feel convinced your Excellency is anxious for the well-being of the children declared free by law. If there were schools in the interior, it would be much to their advantage in bringing them up to habits of industry. If something in that way is not done in time, they will become an indolent race; but there may be some difficulty in procuring land for so desirable a purpose. It has been suggested to me, that schools combining instruction with agricultural pursuits, would be preferable to schools for instruction only; half the day given to instruction and half to agricultural labour.

I have, &c.

To His Excellency the Marquis of Sligo, &c. &c. &c.

(signed) *Thomas Davies,*
Special Justice.

(No. 52.)

Lucia, 30 June 1835.

IN this district there are 32 sugar estates, and 13 pens and small settlements, which I visit.

The apprentices on the different estates are working regular, but slow: they vary, however, in this respect, sometimes working cheerfully and well; at others, working slow, and doing little work; and although the field labour is, generally speaking, more backward than usual at this period, there is every prospect of an average crop next year; and on some estates the crops will exceed those of last year. In all cases where task-work is employed, they work cheerfully, and do a fair quantity of work. On all the estates in this district, the apprentices continue to receive the same indulgences as formerly, and are generally well treated by their overseers.

Since I assumed my duties in this district, complaints have greatly decreased, especially between overseer and apprentice. With respect to the jobbers and small settlers, they do not, generally speaking, allow their apprentices the same indulgences as the estates do; and in some cases, they are not well treated by their masters.

I have, &c.

(signed) *John R. Hulme,* Special Justice.

— No. 143. —

EXTRACT of a Despatch from the Marquis of *Sligo* to Lord *Glenelg*, dated Highgate, Jamaica, 18 July 1835.

No. 143.

I DO not think that I can adopt a better plan, when making to you the general report on the state of the Island, which I send by every packet, than, when in my power, to present facts to your notice, for the proof of which I retain documents in my possession. On the present occasion I have the honour to send to your Lordship lists of the actual state of labour for hire in Jamaica. As I have often before explained, I have not been able to succeed in getting the special justices to send me in their returns as I have directed: some because they will not make themselves as acquainted with the affairs of each estate in their district as they ought and might do if they took the least trouble on that score, and some on account of the prevalent sickness, which has spread over the Island in a frightful manner.

The number of miles travelled during this month by the special magistrates will be much diminished, as very many are laid up; some I have been compelled to give leave to go into the mountains for change of air, and many are too weak in consequence of past illness to go through their business as usual. Such

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Such returns, however, as I have received, produce the following results: on 296 estates or properties, the apprentices have either at first or last worked for hire; some, nay many, refused at first, but all those in this return have at one period or the other worked for hire when it has been offered to them. None of those who have once worked for it have as yet retracted, if fairly dealt with and punctually paid, which has not been universally the practice. By the same returns it appears that on 98 estates no offer of wages for extra work has been made, and that only on 22 estates have wages been actually and pertinaciously refused. Many causes for the refusal may be adduced; want of confidence in their master, as a case is known to me, where the negroes on two adjoining estates have refused respectively to work extra time for their own masters, but have done so for the neighbouring property. An idea was at one time prevalent that by working for hire they were perpetuating their own slavery. This has been in a great measure got rid of, but not entirely; and it is my firm opinion that its prevalence still on those estates, where I think it still has that baleful effect, is owing solely to the ignorance in which the slaves have been left, and that those who so neglected that part of their duty are now reaping the fruits of their own misconduct. I think that this return, however, will at once dispose of the delusion which they do not, even at this eleventh hour, scruple with the utmost confidence to adopt at all their public meetings, that they will not work for hire. I am bound, however, to say, that the late system of working extra time for hire may be at once knocked on the head by the managers themselves; and that from what I have heard of the projected encroachments of these persons, there may be some hesitation about it on a future occasion. Most of the bargains for work have been made for this *croparty*, extra labour not being generally required out of crop time. It has reached my ears that many of the managers have, in consequence of the facility with which this crop has been got off, and the seeming satisfaction of the apprentices at the rates of wages hitherto paid to them, come to a resolution of refusing the terms they have this year given, in the hopes of getting them to accede to cheaper terms. They, moreover, have, as I understand, determined on attempting to procure, in consideration of the old allowances or by some other means, not contemplating any payment, the labour of the children who have attained the age of six years since the 1st of August. This is very inexpedient on two accounts; first, the same is valueless if obtained; and, secondly, the parents naturally, on account of the deceptions and oppressions which have in many instances been inflicted on them, will suspect that this offer is connected with some scheme of protracted apprenticeship, and the effect, I fear, may be injurious to the elder gang undertaking labour for hire. I have, however, great confidence in the increasing desire for luxuries, and think that they will not like to relinquish the pleasures of money payments, having once tasted their advantages.

Having heard some vague rumours of unusual appearances among the apprentices, accompanied by something of an idea that they were all to be liberated from the apprenticeship on the 1st of August, founded, as I imagine, on the liberation of those at the Caymanas and of the Maroons, I sent a circular to the special justices to make minute inquiries on the subject. Some have not as yet replied to that letter, but all who have, have assured me that there has not been the slightest foundation for any alarm in their respective districts. In St. David's, however, I considered from what I had heard that there were some grounds for thinking that the idea was prevalent among the apprentices. I therefore sent Inspector-general Ramsay there to make minute inquiries. His report inducing me to think that it did exist there, and that the police even were affected by it, inasmuch as a great number of them had demanded their discharges, I at once ordered every policeman in the parish to be removed and divided into other districts, and their places to be filled by steady men from other stations. I have also ordered 30 more policemen, if to be spared, which I trust they may, the prevalent sickness much reducing their effective strength, to be located in a district part of the parish: I have also directed a company of the line to be sent up there directly. St David's being a remarkably healthy, cool district. I think that the exhibition of so powerful a force, sent at once to the only district where any apprehension of this sort exists, will not only crush it there at once, but show such a state of preparation as will prevent its ripening in any other parish where it may now more silently exist. I trust that the adoption of these measures will meet with your approbation.

An instance of the effect of a good understanding between master and apprentices was reported to me last week by Mr. Marlton, special justice in St. Mary's, that at Oxford estate they dug, in stiff unploughed land, 113 holes per day, not for hire, but on the estate's day, when 70 had always been the allotted task for a day on the same soil during slavery. I enclose to your Lordship copies of two letters of a satisfactory nature from Mr. Walsh, another magistrate from St. Mary's, and from Mr. Macleod, special justice for St. Dorothy.

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22 July 1835.

THE packet having arrived so much before her expected time, I have been unable to add, as I had expected, the next week's reports of estates where apprentices work for hire. Having prepared this despatch beforehand, I have determined on sending it off, and will complete the returns by the next packet. I add also a list of 98 properties where wages have never been either offered or refused. I also enclose a return of future prospects of 29 more properties received since my last despatch on the subject was sent off. I have heard some more rumours of discontents in St. John's parish, and have sent up there some extra policemen, which is all I can now afford there. I trust that there will not be any dis-

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turbance; but I do think that there is some expectation of freedom on the 1st of August among them; they certainly are much less contented in their minds than they have been, though no actual breach of the usual perfect tranquillity now exists. I have and will take measures to obviate it. I must say that I anticipated this result from the Caymanas' liberation, and so stated to your Lordship's predecessor.

My Lord, Derry Police Station, Pear Tree Grove, 15 July 1835.

I FIND great pleasure in forwarding your Lordship a letter of Mr. Cockburn's addressed to me, and which letter will at once show your Excellency the state that I have got my district into; indeed I must not take too much credit to myself, but if every attorney in Jamaica acted as that gentleman, things would go on well.

Mr. Cockburn's apprentices are on the field of work every morning at three o'clock, and work off a task by 10 o'clock in the morning; they give up their Saturdays and work for money. Their enemies might deny this, but I send your Lordship the gentleman's letter of the 10th instant, and read what he says: "I have not yet found the negro to deceive me." These are his words; and if every attorney in Jamaica gave me such cordial support, I could put every negro in the Island in 12 months on the same footing. Until the attorneys, &c., leave off all prejudice to the known laws, and to use stripes, things will not work as well as Mr. Cockburn's estates. However, generally speaking, I am able to make a favourable report of my district. It is beyond the comprehension of man to think that the negroes will do as much work in the 40½ hours per week as they did when the master could cut and slash them, as he could do in old times, and get 16 hours' work a day out of each of them; but let the master pay them for their extra time, the same as Mr. Cockburn, and they will then be enabled to say, "I have not yet found the negro to deceive me."

I have, &c.

(signed) *Henry Walsh.*

My Lord, Old Harbour Market, 14 July 1835.

I HAVE to report to your Excellency for this week that the state of my district continues favourable and satisfactory. Every estate, excepting Bushey Park, has finished crop, and the amount of produce furnishes, in my humble apprehension, sufficient proof to satisfy any candid man that the negroes here, since the commencement of the apprenticeship, have done more work than they were ever in the habit of accomplishing in the same given time before the 1st of August; I say this advisedly, and with a pretty full knowledge of the various points to be considered in the comparative estimate of slave and apprentice labour.

I have, &c.

(signed) *Alex. N. Macleod,*
Special Magistrate, St. Dorothy's.

ESTATES where Apprentices work for Hire.

Hyde Hall	Trelawny.	Vale Royal	Trelawny.	Boscobel Pen,	St. Mary's.
Manchester	ditto.	Windsor Castle	ditto.	Bagnal Spring	ditto.
Biddeford	ditto.	Georgia	ditto.	Cardiff ditto	ditto.
Sportsman's Hall	ditto.	Llanrumney	St. Mary's.	Donnington Castle	ditto.
Jock's Lodge	ditto.	Quebec	ditto.	Hazzard	ditto.
Kinloss	ditto.	Haywood Hall	ditto.	Lambhen Hall	ditto.
Gibraltar	ditto.	White Hall	ditto.	Tucke's Hill	ditto.
Long Pond	ditto.	Nemoldswrith	ditto.	Warwick Castle	ditto.
Hampshire	ditto.	Nonsuch	ditto.	Mango Valley	ditto.
Hyde	ditto.	Ballard's Valley	ditto.	Pinpert Pen	ditto.
Stonehenge	ditto.	Green Castle	ditto.	Richard's Pen	ditto.
Swanswick	ditto.	Newry	ditto.	Kensanth	Manchester.
Ulster Spring	ditto.	Orange Hill	ditto.	Java	ditto.
Spring Garden	ditto.	Agualta Estate	ditto.	Hemitage	ditto.
Arcadia	ditto.	Agualta Pen	ditto.	Lancaster	ditto.
Bryan Castle	ditto.	Esher	ditto.	Warwick	ditto.
Brampton Bryan	ditto.	Cromwell	ditto.	Loco Walk	ditto.
Baron Hill	ditto.	Union	ditto.	Great Valley	ditto.
Braco	ditto.	Fellowship Hall	ditto.	Smithfield	ditto.
Colchis	ditto.	Allison	ditto.	Woodlands	ditto.
Etingdon	ditto.	Wentworth	ditto.	Stoneshope	ditto.
Friendship	ditto.	Trinity	ditto.	Farenaugh	ditto.
Glamorgan	ditto.	Tryall	ditto.	New Forest	ditto.
Hopewell	ditto.	Brimmer Hall	ditto.	Buff Bay River,	St. George's.
Harmony Hall	ditto.	Oxford	ditto.	Dover	ditto.
Lysworney	ditto.	Preston	ditto.	Fort Stewart	ditto.
Lancaster	ditto.	Crescent	ditto.	Gibraltar	ditto.
Nightingale Grove	ditto.	Fontabelle	ditto.	Gray Inn	ditto.
Steelfield	ditto.	Roslin	ditto.	Hart Hill	ditto.
Stewart Castle	ditto.	Pemberton Valley	ditto.	Iter Boreall	ditto.

Osborne - St. George's.
Windsor Castle - ditto.
Woodstock - - ditto.
Buckingham - St. Thos East.
Garbrand Hall - ditto.
Suge Island - - ditto.
Coley - - - ditto.
White Hall - - ditto.
Greenwall - - ditto.
Aughton Hall - ditto.
Eolus Valley - ditto.
Lloyd's - - ditto.
Belvidere - - ditto.
Mount Pelier - ditto.
Newfield - - ditto.
Old Monkland - ditto.
New Monkland - ditto.
Nutt's River - ditto.
Wheelersfield - ditto.
Hordley (millmen only), ditto.
Amity Hall (millmen), ditto.
Holland (millmen) - ditto.
Ducherfield (millmen), ditto.
Golden Grove - ditto.
Winchester - - ditto.
Plaintain Grove River (millmen - - - ditto.
Rhone (millmen) - ditto.
Potosi (millmen) - ditto.
Pleasant Hill - ditto.
Stodher Hall - ditto.
Chiswick - - ditto.
Harbour Head - ditto.
Bowden - - ditto.
Seaman's Valley - Portland.
Golden Vale - - ditto.
Williamsfield - ditto.
Bog - - - ditto.
Shotover - - ditto.
Anchovy Valley - ditto.
Park Mount - ditto.
Queen Hythe - St. Ann's.
Laurence Park - ditto.
Antrim - - ditto.
Southfield - - ditto.
Knapdale - - ditto.
The Lodge - St. Dorothy's.
Longueville - - Clarendon.
Colebeck's - St. Dorothy's.
Woodhall - - ditto.
Kelly's - - ditto.
Cocoa Walk - ditto.
Marley - - ditto.
Bushy Park - ditto.
Cherry Garden - ditto.
Amity Hall - - ditto.
Nightingale Grove ditto.
The Whim - - ditto.
Seven Plantation, Clarendon.
Chateau - - ditto.
Cornwall - Westmorland.
Petersfield - - ditto.
Shrewsbury - - ditto.
Mesopatamia - ditto.
Blue Castle - - ditto.
Blackheath - - ditto.
Blackness - - ditto.
George's Plain - ditto.
Three Mill Plain - ditto.
Friendship - - ditto.
Bath - - - ditto.

Dean's Valley Waterworks, Westmorland.
Dean's Valley Dry Works, ditto.
Carrawina - - ditto
Content - - St. James.
Chatham - - ditto.
Barrett Hall - ditto.
Carlton Hall - ditto.
Hampden - - ditto.
Belle Isle - Westmorland.
Camp Savanna - ditto.
Frome - - - ditto.
King's Valley - ditto.
Lincoln - - ditto.
Mint - - - ditto.
Midgeham - - ditto.
Meylersfield - ditto.
Moreland - - ditto.
Mount Eagle - ditto.
Negril Spots - ditto.
Nonpareil - - ditto.
Paul Island - - ditto.
Retreat - - ditto.
Springfield - - ditto.
Spring Garden - ditto.
Caenwood - St. George's.
Eden - - - ditto.
Elysium - - ditto.
Hermitage - - ditto.
Hope - - - ditto.
Kildare - - ditto.
Lenox - - - ditto.
Law Layton - ditto.
Mount Pleasant - ditto.
Paradise - - ditto.
Rodney Hall - ditto.
Shrewsbury - - ditto.
Skibo - - - ditto.
Whydash - - Portland.
Spring Garden, St. George's.
Heining's - St. Thos East.
Hector's River - ditto.
Muri Town - - ditto.
Orange Hill - ditto.
Providence - - ditto.
Reach - - - ditto.
Spring Valley - ditto.
Windsor Castle - ditto.
Williamsfield - ditto.
Claremont - - Trelawny.
Carrick Foyle - ditto.
Dry Valley - - ditto.
Florence Hall - ditto.
George's Valley - ditto.
Green Park - - ditto.
Greenside - - ditto.
Grange - - ditto.
Holland - - ditto.
Hague - - ditto.
Irving Tower - ditto.
Kent - - - ditto.
Lottery - - ditto.
Mayfield - - ditto.
Orange Valley - ditto.
Oxford - - ditto.
Orange Grove - ditto.
Roslin Castle - ditto.
Spring - - - ditto.
Southfield - - ditto.
Water Valley - ditto.

Ashley's - Clarendon.
Denhen - - ditto.
Mullet Hall - - ditto.
New Ground - ditto.
Retreat - - ditto.
Low Ground - ditto.
Old Plantation - ditto.
Pindar's Rock River, ditto.
Sutton's - - ditto.
Beckford Rock River, ditto.
Rose Hill - - ditto.
Ashley Hall, D. & N., Vere.
Hillside, D. & N. - ditto.
Brazilletto - - ditto.
Stratton Hall - ditto.
Bowen Hall - - ditto.
Moreland - - ditto.
Bog - - - ditto.
Chesterfield (offered but not accepted) - ditto.
Barey Hall - - ditto.
Salt Savanna - ditto.
HarmonyHall, D.& N., ditto.
Greenwich - - ditto.
Carlisle - - ditto.
Knight's - - ditto.
Gibbon's - - ditto.
Dunkley - - ditto.
Old Yarmouth - ditto.
New Yarmouth - ditto.
Caswell Hill - ditto.
Exeter - - ditto.
Raymond's - - ditto.
Amity Hall - - ditto.
Paradise - - ditto.
Riverside - - ditto.
Hopewell - St. Mary's.
Lewisberg - - ditto.
Lund - - - ditto.
New Ramble - ditto.
Orange River - ditto.
Belenfield - - ditto.
Richmond - - ditto.
Batchelor Hall - Hanover.
Bamboo - - ditto.
Barbican - - ditto.
Blue Hole - - ditto.
Eaton - - - ditto.
Esher - - - ditto.
Fat Hog Quarter - ditto.
Flint River - - ditto.
Georgia - - ditto.
Great Valley - ditto.
Haddington - - ditto.
Houghton Court - ditto.
Hopewell, Upper - ditto.
Hopewell, Lower - ditto.
Kew - - - ditto.
Magotty - - ditto.
Mesquito Cove - ditto.
Orange Cove - ditto.
Point - - - ditto.
Prosper - - ditto.
Retrieve, Old - ditto.
Retrieve, New - ditto.
Richmond - - ditto.
Riley's - - ditto.
Success - - ditto.
Nyall - - - ditto.
Welcome - - ditto.
Williamsfield - ditto.

ESTATES working extra for Old Allowances.

Charlottenburg - St. Mary's.	Gosher Estate - St. Mary's.	Russell Hall - St. Mary's.
Greenwood - ditto.	Gosher Pen - ditto.	Money Musk - Vere.

JOBBERS, &c.

Newport - - - - - Portland.

ESTATES where Wages have neither been offered nor refused.

Albany - St. George's.	Phillipsfield - St. Thos East.	Elm Wood - St. Thos East.
Cottage - - ditto.	Aumount - - ditto.	Tarry Hill - - ditto.
Craig Mills - - ditto.	Leith Hall - - ditto.	Hartford - - ditto.
Devon Pen - - ditto.	Prospect - - Portland.	Nore Garden - ditto.
Epsom - - ditto.	Cold Harbour - ditto.	Rural Vale - - ditto.
Evandale - - ditto.	Sion Hill - - ditto.	Sion Hill - - ditto.
Fort George Pen - ditto.	Kenmay - - ditto.	Weybridge - - ditto.
Good Hope - - ditto.	Unity Valley - ditto.	Perrin's - - Vere.
Hermitage - - ditto.	Darley - - ditto.	Springfield - - ditto.
Mammee Hill - ditto.	Cambridge - - ditto.	Deeside - St. Mary's.
Pontefract - - ditto.	Mount Oakly - ditto.	Essex.
Prior Park - - ditto.	Retreat - - ditto.	Job's Hill.
Richmond Castle - ditto.	Hope - - - ditto.	Kendall.
Reddington - - ditto.	Stanton Harcourt - ditto.	Leinster.
Williamsfield - ditto.	Providence - - ditto.	Mount Patience.
White River - ditto.	Norwich - - ditto.	Montrose.
Decoy - St. Mary's.	White Hall - - ditto.	Newport.
Dering - - ditto.	Burlington - - ditto.	Pembroke.
Epping - - ditto.	Orange Valley - St. Ann's.	Platfield.
Gale - - - ditto.	Dumbarton - - ditto.	Rock River.
Halifax - - ditto.	Amity - - Westmorland.	Rose Hill.
Huddersfield - ditto.	Roaring Ruen - ditto.	Snailfield.
Spring Garden - ditto.	Fort William - ditto.	Sue River.
Industry - - ditto.	Prospect - - ditto.	Waterton.
Pembroke Hall - ditto.	Fontabelle - - ditto.	Woodside.
Tower Hill - - ditto.	Geneva - - ditto.	Weyhill.
Barnsteeple - - Trelawny.	Fonthill - St. Elizabeth's.	Palmetto Grove.
East Prospect, St. Thos East.	Spring Garden - Portland.	Beans.
Bachelors' Hall - ditto.	Darley - - ditto.	New Mill.
Peru - - - ditto.	Castle Comfort, St. Thos East.	Orchard.
Barking Lodge - ditto.	Egg Hill - - ditto.	Round Hill.

HEAD PEOPLE agreed to Work for Hire, and the rest not pressed at all to do so, marked thus. *

REFUSED HIRE.		
Langley - St. Mary's.	Blaslaw Garden River (Field), St. Thomas East.	Delvey * - Westmorland.
Ramble - - ditto.	Rhine (Field) - ditto.	Hope * - - ditto.
Frontier - - ditto.	Cardiff - - ditto.	Masemure * - ditto.
Belfield - - ditto.	Arcadea - - ditto.	Retrieve * - - ditto.
Water Valley - ditto.	Home Castle - St. Ann's.	Ridgeland * - - ditto.
Albany - - ditto.	Albany * - Westmorland.	Belly's Hope, St. Thos East.
Petersfield - St. Thos East.	Canaan * - - ditto.	Boston - - ditto.
		Mulatto River - ditto.

CONTINUATION of RETURNS transmitted in Despatch 21 June 1835.

Names of Estates.	Attorney or Overseer.	Present Crop.	Prospects of Future Crop.
HANOVER.			
Abindon - - -	Wm. Carey - -	Over -	Quite as advanced as last year.
Haughton Hall - -	W. J. H. James -	- ditto -	A fortnight later than usual.
Rhodes Hall - - -	W. Gordon - -	- ditto -	Backward, but will get up lost time.
Fish River - - -	- - - -	- ditto -	As usual.
North Spring - - -	Campbell - -	- ditto -	Rather backward.
			Mr. *Odill*'s Report.
ST. ANDREW'S.			
Constitution Hall - -	T. Cherollam, prop.	Over -	Much improved latterly.
Marylands - - -	Capt. East - -	- ditto -	Improvement.
Monmouth Mount - -	Mr. Wiles - -	- ditto -	Not backward, the diminution of late slight.

Names of Estates.	Attorney or Overseer.	Present Crop.	Prospects of Future Crop.
ST. ANDREW'S—*continued.*			
Mount Industry	- - - -	- - -	Much improvement.
Silver Hill	Mr. Dallas	- - -	Doing exceeding well.
Nore Hill	- - - -	- - -	- - ditto.
Peter's Rock	- - - -	- - -	- - ditto.
Newland	Mr. R. Chisholm	- - -	- - ditto.
Middleton	- - - -	- - -	- - ditto.
			Mr. *Bourne*'s Report.
ST. MARY'S.			
Palmetto Grove (Sugar)	R. Ailkin, overseer	Going on	In a most satisfactory condition.
Essex (Coffee)	— Wade, proprietor	Over	Great prospects of abundance.
Rock River	R. Thornhill	- ditto -	- - ditto.
			Mr. *Lambert*'s Report.
PORT ROYAL.			
Blonburgh	J. Mais & Wilson	15,000 lbs. extra made this year.	- - In fair forwardness.
Halberstadt	Mr. J. Mais	All in	Very little, if at all behind.
Lower Luckey Valley	Mr. Netherule	- ditto -	Canes and coffee hardly behind at all.
Upper Luckey Valley	Chrystie Tayler	Over	Not much behind last year.
Good Hope	J. Willson	12,000 lbs. more this year.	- - Not at all behind hand.
Chatsworth	- - - -	- - -	Do not begin crop till August.
Dallas Castle	Mr. Pierson	- - -	- - ditto ditto.
Drummond Castle	Mr. Jackson	- - -	Apprentices employed cutting wood for Kingston market.
Trafalgar	Mr. Levi, prop.	All in	Not much behind.
Belleive	Mr. Jackson	- ditto -	Going on well.
			Capt. *Kent*'s Report.
ST. THOMAS'S VALE.			
Belgan and Luckey Hill	Mr. Wright	Over	Quite as forward as usual.
			Mr. *Jones*'s Report.
ST. ELIZABETH'S.			
Holland	Mr. M'Donald	Not over	Usual crop expected; plough introduced for the first time, and much appoved.
Y. S.	Mr. Salmon	Over	Property in better state than last year.
Ipswich	- ditto -	- ditto -	Better than last year.
			Daughtrey's Report.
ST. JAMES.			
Lethe	Mr. Anderson	- - -	6 acres less planted.
Eden	Mr. Gordon	- - -	12 acres less.
Wiltshire	Mr. Fenton	- - -	Quite as forward, and as much done as last year; same plants.
Roehampton	Mr. Glen	- - -	26 acres short.
Content	Mr. Broshett	- - -	8 acres less; all the rest same as usual.
Lod Hall	Mr. Jackson	- - -	9 acres less - ditto.
Friendship	Mr. Deane	- - -	10 ditto - - ditto.
Copres	Mr. Jackson	- - -	18 ditto.
Childermas	Mr. Gordon	- - -	12 ditto - - ditto.
Anchovy	Mr. Plummer	- - -	11 ditto - - ditto.
Golden Grove	Mr. Jackson	- - -	Same plant, the rest the same.
Silver Grove	- ditto -	- - -	6 acres less, ditto.
Alexandria	Mr. Gordon	- - -	Same plant, ditto.
Hazle Lymph	Mr. Groves	- - -	17 acres short, backward.
Seven Rivers	Miller & Mariett	- - -	Same plant, all the same.
Belvidere	Mr. Hunter	- - -	22 acres less.
Mont Pelier	Miller & Mariett	- - -	10 acres more planted this year.

— No. 144. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Marquis of *Sligo*, dated Colonial-office, 1 September 1835.

No. 144.

I HAVE received your Lordship's Despatch, dated the 18th July, containing your monthly report on the general state of the Island of Jamaica. The most grateful acknowledgments of His Majesty's Government are due to your Lordship for the exertions which you habitually make under circumstances of no common difficulty, to supply them with exact and highly important information, respecting the progress of the great experiment which has been placed under your own immediate superintendence. Although I might have scrupled to impose on your Lordship a duty so laborious as is that of preparing these periodical reports, and of compiling the statistical details by which they are illustrated and confirmed, yet it will be in the highest degree satisfactory to receive authentic intelligence of this nature as often as your Lordship's health and avocations may allow.

The proofs contained in this Despatch of the readiness of the emancipated population to work for hire, justify a sanguine hope of the future prosperity of Jamaica, after the period of apprenticeship shall have expired, an object of the first importance on every account, and especially as it will vindicate to the world at large the wisdom of the decisive measure, and of the great pecuniary sacrifice which the Parliament and the people of this kingdom sanctioned for the abolition of negro slavery.

I have read with peculiar interest Mr. Marlton's report of the gratuitous exertions made by some apprenticed labourers in the parish of St. Mary for their employer's benefit. It is an occurrence to which too much publicity cannot be given, as illustrative of the grateful and docile character of these people, when placed under a kind and judicious management.

It is almost superfluous to affirm your Lordship's opinion of the inexpediency of any systematic attempt to engage little children of the age of six years in labour on the plantations, although perhaps even at that tender age there may be some trifling offices which they might occasionally perform with advantage to the estates on which they live, and without prejudice to their own health. I trust, however, that the efforts which are making in all directions for promoting the education of these young people, will supply them with a more appropriate and perhaps even a more attractive employment.

I fully approve the very decisive measures which your Lordship adopted to check the prevailing misapprehension that the apprenticeship would expire on the 1st of August 1835, and to repress any excesses which might arise from the disappointment of that hope.

The King has received with the deepest concern your Lordship's account of the sickness prevailing in Jamaica. It is needless to request from your Lordship further information respecting the progress of this calamitous epidemic.

Appendix (B.)

COLONIAL LAWS.

JAMAICA.

— No. 1. —

Jamaica ss.

AN ACT for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island:—Passed 12 December 1833.

WHEREAS an Act has recently passed the Imperial Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves:" and whereas in consideration thereof, it is expedient that a Bill should pass the Legislature of this Island to effect the abolition of slavery; be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in this Island, shall on or before the 1st day of August 1834 have been duly registered as slaves in this Island, and who on the said 1st day of August 1834 shall be actually within this Island, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid every slave belonging to this Island engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island to all intents and purposes whatsoever.

Preamble.

After 1 August 1834, persons now registered as slaves to become apprenticed labourers.

Proviso as to slave mariners.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would, for the time being, have been entitled to his or her services as a slave, if this Act had not been made.

Services of apprenticed labourers secured.

3. Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been taken with the consent of their possessors, and all apprenticed labourers who may hereafter with the like consent be taken into any part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be absolutely and entirely free, to all intents and purposes whatsoever.

Slaves or apprenticed labourers taken to Great Britain and Ireland are to be free.

4. And be it enacted, that all such apprenticed labourers shall, for the purposes of this Act, be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least next before the passing of this present Act have been habitually employed in agriculture, or in the manufacture of colonial produce.

Classification of apprenticed labourers.

Proviso as to age of prædial apprentices, &c.

5. And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such his or her apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship to perform any labour in the service of his or her employer or employers for more than 45 hours in the whole in any one week.

Apprenticeship of prædial labourers to cease on 1 August 1840.

Hours of labour.

6. And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the first day of August 1838.

Apprenticeship of non-prædial labourers to cease on 1 August 1838.

7. And be it further enacted, that if before any such apprenticeship shall have expired the person or persons entitled for and during the remainder of any such term to the services of any such apprenticed labourer shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do, by deed-poll or instrument in writing, to be proved before a judge or justice of the peace, and recorded in the Secretary's-office of this Island: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every

Apprentices may be discharged, if persons entitled to their services desire it.

Proviso as to support of aged or infirm labourers discharged.

every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

Apprentices may purchase their discharge.

8. And be it further enacted, that it shall be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship, even without the consent, or in opposition if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the appraised value of such services.

How such discharge may be obtained.

9. And be it enacted, that when any apprentice under this Act shall be able and willing to purchase his or her discharge, and the party entitled to the services of such apprentice shall refuse or be unwilling to sell such discharge, such apprentice shall be at liberty to apply to the nearest magistrate, to be appointed by special commission; who shall thereupon give notice to the person entitled to the services of such apprentice, or his or their representative or agent; and such last-mentioned person shall thereupon appoint a justice of the peace of the parish or precinct in which the apprentice shall reside, who shall and he is hereby required to associate himself with such special justice of the peace, and the said two justices shall also associate with them one or other justice of the peace, who is also hereby required to associate himself as aforesaid; and in case the said special justice and general justice of the peace cannot agree on the third justice so to be called in, then the custos or senior magistrate for the said parish shall name and appoint such third justice; provided that in case such custos or senior magistrate shall have any interest in the question, the next magistrate in seniority shall appoint such third justice.

Proviso.

Three justices to award valuation, &c., and discharge apprentices.

10. And be it further enacted, that the said three justices shall meet at the usual place for public business for the parish or precinct, or at such other place as the justices themselves shall appoint, and shall proceed to fix a value upon such apprentice; which valuation shall be binding and conclusive on all parties; and upon the amount of such valuation being paid to the person entitled to receive the same, or to the receiver-general, as hereinafter mentioned, such apprentice shall be absolutely discharged from the remainder of his term of apprenticeship, and the three justices shall grant a certificate under their hands in the form following:

Certificate of discharge.

"We do hereby certify and declare that *A. B.*, the apprentice of *C. D.*, of the parish of hath this day been discharged and released from the remainder of the term of his [or her] apprenticeship. Given under our hands, this day of ."

Proviso as to notice of time and place of meeting to be given to employers; summoning witnesses, &c.

Provided that notice of the time and place of meeting shall be given to the person entitled to the services of such apprentice, or left at his or her usual place of residence, at least 14 days before such meeting; and that the said justices shall and may issue their summons to any witness of whose materiality they shall be satisfied, either on the part of the apprentice or the person entitled to his or her services; and shall examine such witness on oath touching the value of the services of such apprentice; and in case any person so summoned to attend shall refuse or neglect to attend, the said three justices shall and they are hereby empowered and required to issue their warrant, authorizing any lawful constable to apprehend and bring such persons so summoned before them, in order that he or she may be examined in the premises.

Right of persons in remainder, or having security on apprentices, protected.

11. And be it enacted, that in case any person shall, by virtue of any estate tail, or limitation, or remainder, or any security, claim any right to the services of the said apprentice for the remainder of the term of his apprenticeship, expectant upon the death of the person then entitled to his or her services, or by virtue of such security, and shall by reason thereof claim a right to participate in the amount paid for the discharge of such apprentice, the said three justices shall direct such amount to be paid to the receiver-general until the rights of the parties are ascertained and decided as hereinafter mentioned; and such sum shall bear interest at 6*l.* per centum until again paid out, and shall in the meantime be used as the public funds of the Island.

How claimants are to proceed.

12. And be it enacted, that any party claiming to be entitled to the sum so paid to the receiver-general, shall be at liberty to apply by summary petition or special motion to the supreme court of judicature or either of the assize courts; who shall upon hearing the matter adjudge and determine how and to whom such sum of money shall be paid and applied; and such judgment shall be binding and conclusive on all parties; and the receiver-general shall thereupon pay such amount as the court shall by their order direct.

Provision against refusal to appoint a justice in case of apprentice applying to be discharged.

13. And be it enacted, that in case the person entitled to the services of any apprentice so applying to be discharged, shall refuse or neglect to appoint a justice, such special justice shall associate with him a general justice of the peace, and such two justices shall thereupon proceed in the manner hereinbefore directed, and with the same powers as hereinbefore enacted respecting the said three justices.

Apprentices not to be removed from the Island; and how prædial apprentices are to be employed.

14. And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island; and that no prædial apprenticed labourer who may in manner aforesaid become attached to the soil, shall be subject or liable to perform any labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any two

two or more justices of the peace holding special commission, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his or their services to any other plantation or estate within this island to such person or persons belonging; which written consent shall in no case be given or be of any validity, unless any of such justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer, and that such consent shall be in the form following:

Proviso as to removal of prædial apprentices from one estate to another, with restrictions.

"These are to certify that, upon the application of *A. B.* for liberty to remove certain prædial attached labourers, according to the provisions of the 4 Will. 4, chapter , we have inquired into the circumstances of the case, and being satisfied that such removal may be made without infringing any of the regulations in the said Act in this respect contained, we do hereby permit the said *A. B.* to remove the several prædial apprentices named, [*here name them, setting them out in families where it can be done*], from plantation, in the parish of to plantation, in the parish of . Given under our hands, this day of 18 ."

Removal must be thus certified.

Which said certificate shall be recorded in a book, to be kept by the clerk of the peace of the parish or precinct to which such labourers shall be removed, and for which service the said clerk of the peace shall receive the sum of 2*s.* 6*d.*, and no more; and such record, or a copy thereof certified by such clerk of the peace, shall be received and taken as evidence in all courts.

Certificate to be recorded in a parish book.

15. And be it further enacted and declared, that the right or interest of any employer or employers to and in the services of any apprenticed labourers as aforesaid, shall pass and be transferrable by bargain and sale, contract, deed, conveyance, will or descent, in the same manner as real estate passes, or is transferred or descends according to the laws of this Island; provided that no such apprenticed labourer shall by virtue of any such bargain and sale, contract, deed, will or descent, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

Right in service of apprentices transferrable by bargain and sale, &c.

Proviso: Families not to be separated.

16. And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and are and is hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by an Act, intituled, "An Act for the Government of Slaves," now in force in this Island, an owner is required to supply to and for any slave, being of the same age and sex as any such apprenticed labourer shall be.

Maintenance and allowances to be as provided in slave law.

17. And be it further enacted, that subject to the obligations imposed by this Act upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within this Island, shall, upon and from and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished and declared unlawful in this His Majesty's Island of Jamaica.

After 1 August 1834, slavery to be abolished.

18. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in any such contingency: Be it therefore enacted, that if any child who, on the said 1st day of August 1834, had not completed his or her sixth year, or if any child to which any apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding special commission, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that such person or persons aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required, by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be able and willing properly to perform such conditions; and it shall, by every such indenture of apprenticeship, be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid by the order of any such justice of the peace as aforesaid, shall, during his or her apprenticeship, be subject

How children under six years of age, on 1 Aug. 1834, are to be provided for.

to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child.

Proviso as to education and instruction of apprenticed children.

Special justices to be appointed for superintendence of apprentices and execution of this Act.

19. And for securing the effectual superintendence of the said apprenticed labourers and the execution of this Act, be it further enacted, that the Governor may and he is hereby empowered to issue, under the public seal of this Island, special commissions to one or more person or persons, constituting him or them a justice or justices of the peace for the whole of the Island, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to this present Act, and to any laws which may hereafter be made for giving more complete effect to the same; and every person to or in favour of whom any such commission may be issued shall by force and virtue thereof, and without any other qualification, be entitled and competent to act as a justice of the peace within the limits prescribed by such his commission for such special purposes as aforesaid, but for no other purposes; provided nevertheless, that nothing herein contained shall prevent or be construed to prevent any person commissioned as a justice of the peace for such special purpose as aforesaid from being included in the general commission of the peace for this Island, in case it shall seem fit to the Governor to address both such special commission and such general commission as aforesaid in any case to the same person or persons.

Proviso: Special justices not excluded from general commission of the peace.

Such special justices only to take cognizance of offences committed by apprentices or employers, &c.

20. And be it enacted, that the several justices of the peace having special commissions as aforesaid (and no other magistrate or justice of the peace in this Island) shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences committed or alleged to have been committed by any such apprenticed labourer or by his or her employer, in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other; or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services; provided that nothing herein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or to the superior courts of civil and criminal justice in this Island.

Proviso: Powers of supreme courts, or of civil or criminal justice, not abrogated.

Punishment to be inflicted by special justices only, &c.

21. And be it further enacted, that it shall not be lawful for any person or persons entitled to the services of any such apprenticed labourer, or any other person or persons other than such justices of the peace, holding such special commissions as aforesaid, to punish any apprenticed labourer for any offence by him or her committed or alleged to have been committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatsoever, or by any addition to the hours of labour hereinbefore limited; nor shall any court, judge or justice of the peace punish any such apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained shall extend to exempt any apprenticed labourer from the operation of any law or police regulation for the prevention or punishment of any offence, which is or shall hereafter be in force in this island in respect to all other persons of free condition.

Female apprentices not to be whipped or beaten.

Proviso: Apprentices not exempted from police regulations.

22. And whereas it is necessary that proper regulations should be provided for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention and punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers, and for preventing the escape from this island of any such apprenticed labourers during their term of apprenticeship; be it therefore enacted, that all such offences shall be tried in a summary manner before any justice appointed by special commission, and that any apprenticed labourer convicted of absenting himself or herself from the service of his or her employer without reasonable cause, for half or any smaller portion of a day, shall forfeit to such employer not exceeding a whole day's labour of his or her own time.

Offences to be tried summarily, and forfeiture for half a day's absence.

Forfeiture for more than half a day's absence.

23. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for more than half a day, shall in like manner forfeit not exceeding three days' labour of his or her own time: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard on which he shall have adjudged that the said apprentice shall forfeit three days' labour of his or her own time, and he is hereby authorized and required so to divide the said three days' labour as shall not impose the obligation on such apprentice of working for more than 15 extra hours in any one week.

Proviso: Forfeiture of days to be divided.

24. And

24. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for two successive days, or on two distinct days within the same fortnight, shall be adjudged a deserter, and sentenced to hard labour for a period not exceeding one week, in the house of correction or the penal gang of the parish, or to receive a flogging not exceeding 20 stripes. Punishment for two successive days, &c.

25. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for three or more successive days during any one fortnight shall be adjudged a vagabond, and sentenced to hard labour for a period not exceeding 14 days, in the house of correction or the penal gang of the parish, or to receive a flogging not exceeding 30 stripes. Punishment for three or more days, &c.

26. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause for one entire week, or any longer time, shall, in addition to such punishment by hard labour as aforesaid, be further sentenced to receive at the house of correction, in the presence of the superintendent thereof, any number of stripes not exceeding 39. Punishment for one week's absence, or longer.

27. And be it further enacted, that any apprenticed labourer who shall be found wandering as a vagrant beyond the limits of the plantation of his or her employer without a written permission from such employer, and who shall not be able to give a satisfactory account of himself or herself, shall be liable to be apprehended, and upon conviction before any special justice aforesaid, shall be adjudged a vagabond and sentenced accordingly: provided that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of Divine worship, or to or from market, or at such market or place: provided that nothing herein contained shall be deemed or construed to abridge, or in anywise interfere with, the full and free use and enjoyment by such apprentices of the time allotted to them as their own under and by virtue of the provisions of this Act. Wandering apprentices, without permission, declared vagabonds. Provisoes: Not to affect apprentices going to worship or market, or to interfere with their own time.

28. And be it further enacted, that any apprenticed labourer who shall refuse or neglect to perform any labour required under this Act, or who shall by wilful negligence damage the property of his or her employer, or who shall be guilty of drunkenness, shall, upon conviction thereof as aforesaid, forfeit to such employer any number of days' labour not exceeding four out of his or her own time, or to be sentenced to receive any number of stripes not exceeding 20; and for the second offence within one month shall be sentenced to double that amount of punishment: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard, on which he shall have adjudged that the said apprentice shall forfeit three days' labour of his or her own time, and he is hereby authorized and required so to divide the said three days' labour as shall not impose the obligation on such apprentice of working for more than 15 hours in any one week. Punishment on apprentices neglecting labour, damaging property, or guilty of drunkenness. Proviso: Division of forfeited days' labour.

29. And be it further enacted, that any apprenticed labourer who shall be convicted as aforesaid of insolence or insubordination to his or her employer shall be sentenced to hard labour in the house of correction, or the penal gang of the parish, for any time not exceeding two weeks, or to receive any number of stripes not exceeding 39. Punishment for insolence or insubordination.

30. And be it further enacted, that any apprenticed labourer who shall by the careless use of fire endanger the property of his or her employer, or of any other person, or who shall ill-use any cattle or other stock, or who shall wantonly destroy or injure the property of his or her employer intrusted to his or her charge, shall, upon conviction thereof as aforesaid, be sentenced to hard labour in the house of correction or the penal gang of the parish for any time not exceeding three months, or to any number of stripes not exceeding 50. Punishment for injury by the careless use of fire, ill-using cattle or stock, or wantonly destroying property.

31. And be it further enacted, that in case of any riot or combined resistance to the laws on the part of any three or more apprenticed labourers, the police of the parish, or of any adjoining parish, shall, on receiving information thereof, immediately repair to the spot and act as they shall be directed by any special justice for the repression of any such riot or lawless proceedings; and all apprenticed labourers engaged in any such riot shall, on conviction thereof as aforesaid, be sentenced to hard labour as aforesaid, for any term not exceeding six months, or to receive any number of stripes not exceeding 50. Repression of riots or combinations, and punishment of apprentices engaged in any.

32. And be it further enacted, that any special justice resorting to or present at any such riotous assemblage, shall cause a flag, or some other appropriate signal, to be exhibited as a warning to all persons there present to separate and quietly disperse; and all apprenticed labourers who, after the exhibition of such flag or signal, shall not immediately disperse, shall, on conviction thereof before any two or more such special justices, be sentenced to hard labour as aforesaid, for any term not exceeding six months, and to receive any number of stripes not exceeding 50: provided that, in the event of the unavoidable absence of such special justice, nothing herein contained shall be taken to prevent any justice of the peace from quelling any riot or disturbance among such apprentices in the same way and by the same means as by law he is now authorized to use in quelling any riots, or preventing any breach of the peace, among or by any of His Majesty's free subjects of this island. Manner of dispersing riotous assemblages, and punishment for non-complying. Proviso: In absence of special justice any justice of the peace may act.

33. And be it enacted, that it shall not be lawful for any apprenticed labourer to keep, use, or have in his or her possession any gunpowder, guns, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapon, unless with the knowledge and consent of his or her master or manager. The possession of gunpowder and fire-arms unlawful, &c.

And punishment in consequence.

34. And be it enacted, that every apprentice so offending shall, on conviction before any special justice, be punished with whipping, imprisonment, hard labour in the penal gang or house of correction of the parish, or any two or more of those punishments as may be awarded by such special justice; provided that such whipping shall not exceed 39 lashes, and such imprisonment shall not exceed one month.

Proviso: Limitation of whipping and imprisonment.

Gunpowder and fire-arms to be seized, &c.

35. And be it further enacted, that it shall be lawful for any such master, manager, or lawful employer, to seize and retain to his own use any gunpowder, guns, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

Apprentices quitting or attempting to quit the Island, how punishable.

36. And be it further enacted, that any apprenticed labourer quitting or attempting to quit this Island, without the permission in writing of his or her employer, shall, on conviction thereof before any special justice, be sentenced to hard labour in the house of correction or the penal gang of the parish for a term not exceeding six months, or to receive any number of stripes not exceeding 50.

Loss of time by absence for certain periods, on conviction, to be made good.

37. And be it further enacted, that in all cases wherein any apprenticed labourer shall have been convicted of having absented himself or herself from the service of his or her employer without reasonable cause for more than one day at a time, or during 14 days, such time so lost to such employer shall be made up to him or her by such apprenticed labourer out of his or her own time, not exceeding 15 hours in each week; provided that such extra service or compensation shall not be compellable after the expiration of seven years.

Proviso: But not after seven years.

How employers are to act, if apprentices allow their houses or grounds, by neglect or indolence, to fall into decay and bad order.

38. And be it further enacted, that if any apprenticed labourer shall, by wilful neglect or indolence during his or her own time, suffer his or her house or provision ground to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction in writing of any special justice, to be obtained upon proof before him of such neglect or indolence, to put the house or provision ground of such apprenticed labourer into proper order for his or her comfort and support, and to deduct an equivalent quantity of labour from his or her own time, not exceeding 15 hours in any one week.

On plantations, one or more apprentices may be appointed constables, and their powers defined.

39. And be it enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation, under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation, who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; such apprentice confined as aforesaid not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of a special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid to order the release of such apprentice so confined as aforesaid, after the expiration of 24 hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint on which such apprentice was confined, before the special justice, when he shall next come upon the estate; and provided that nothing shall be construed to give to any such constable any power or authority over any of His Majesty's subjects, except such apprenticed labourers.

Proviso: If special justice cannot attend within 24 hours, apprentice confined to be released, but complaint still to be preferred.

Limitation of plantation constable's powers.

Frivolous complaints, how punishable.

40. And be it further enacted, that if any apprenticed labourer or labourers shall resort to a special justice, to complain against his, her or their employer, and that such complaint shall be adjudged frivolous or groundless, it shall be lawful for such special justice to punish such complaining parties, by adjudging them to repay double the extent of time which may have been lost to his or her employer, not exceeding 15 hours in any one week, or such other punishment by stripes, not exceeding 20.

Females exempted from flogging as punishment, but to be solitary confined.

41. And be it enacted, that for all offences where punishment by flogging is authorized to be awarded by this Act, it shall be lawful for the special justices, in case such offences shall be committed by females, to sentence such females to solitary confinement for any period not exceeding 10 days.

Solitary confinement may be substituted for flogging or hard labour but a certain extent.

42. And be it further enacted, that it shall be lawful for any special justice to substitute solitary confinement in any case where punishment by flogging or hard labour is hereinbefore directed, provided such solitary confinement shall not exceed, for any offence and at one time, 10 days.

Special justices to direct diet for offenders in solitary confinement.

43. And be it further enacted, that in all cases of solitary confinement, the person so confined shall be fed on such diet as the special justice shall direct, and no other.

How inferior misdemeanors and other crimes, not particularly specified, are to be disposed of.

44. And be it further enacted, that all other inferior misdemeanors and other crimes committed by apprenticed labourers against each other, or against the person entitled to his or her services, or against any other person, and not hereinbefore specified, shall be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person entitled to the services of the apprentice complained against, where such person so entitled to his or her services is not the complainant; and such justice shall, upon conviction of such apprentice, order and direct such punishment to be inflicted as he shall think proper, not exceeding 50 lashes, nor three months' imprisonment to hard labour, nor 20 days' solitary confinement: provided that nothing

nothing in this clause contained shall be taken to authorize such magistrate to sentence any female apprentice to be flogged or beaten: and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of his or her right to proceed against any such apprentice in any of the superior courts of this Island, or any court of quarter session or common pleas, for remedy against any apprentice for any wrong or injury done or committed to or against the person or property of such subject: and provided also, that when any apprenticed labourer shall be convicted of indolence or neglect, or improper performance of work, the special justice before whom such conviction shall take place may, if he sees fit, sentence the offender, either alone or in addition to the punishment by flogging or hard labour hereinbefore directed, to labour for any such number of hours or days in his or her own time, for the benefit of the person entitled to his or her services, as the justice of the case may seem to require, not exceeding 15 hours in any one week.

Proviso: Females not to be flogged or beaten.

Proviso: Other persons may proceed against apprentices in courts of justice for wrongs or injuries.

For indolence or neglect, or improper performance of work, apprentices may be further compelled, on conviction, to labour for employers for a certain period of time.

45. And be it further enacted, that in cases in which the food of any such prædial apprenticed labourer is supplied, not by the delivery to him or her of provision, but by the cultivation, by such prædial apprenticed labourer, of grounds set apart for the growth of provisions, the person entitled to their services shall and are hereby required, during the term of such apprenticeship and no longer, to provide such prædial apprenticed labourer with ground adequate, both in quality and quantity, for his or her support, and within a reasonable distance from his or her usual place of abode, under a penalty not exceeding 5*l.* for each offence.

Prædial apprentices to be supplied with grounds adequate for support, under penalty, but during apprenticeship only.

46. And whereas it is necessary that proper regulations should be made and established, as to the extent of such provision grounds hereinbefore mentioned, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourer; be it enacted, that for the purposes of this Act, all grounds hitherto allotted to every slave during such his or her state of slavery, for his maintenance and support, shall, during the term of his or her apprenticeship, in quantity, quality and locality, be deemed adequate and proper for the maintenance and support of every prædial apprenticed labourer, unless good and sufficient cause be shown to the contrary: provided and be it enacted, that such prædial or non-prædial apprenticed labourer shall satisfy, in case of complaint, such special justice that he has kept his ground in a due and proper state of cultivation.

Regulations as to extent of such grounds for prædial apprentices.

Proviso: They must satisfy special justices, in case of complaint, that they have kept their grounds in cultivation.

47. And whereas one day in every fortnight has heretofore been allowed to the slaves for the cultivation of their provision grounds, so as to make the number of days 26 in the year, for the purpose aforesaid, exclusive of Sundays and holidays: and whereas a provision made in this Act confines the hours of labour, which the master is entitled to from such prædial apprenticed labourer, to 45 hours, or five days, of nine hours each in any one week: and whereas a further allowance for the cultivation of their grounds, and the raising and securing the crops grown thereon, is allotted to them by the Act of the Imperial Parliament hereinbefore recited; be it enacted, that from and after the 1st day of August next, every prædial apprenticed labourer shall be entitled to four hours and one half of an hour out of the 45 weekly working hours hereinbefore mentioned, for the cultivation of his or her grounds; and such portion of time shall be allowed to each apprentice, either on any day or days in any one week, or by any number of days consecutively, at such period of the year as may be deemed by the possessor or manager of such property least detrimental and injurious to the cultivation of the plantation on which he or she shall reside, and the gathering in of the crop, and the manufacture of the produce thereof; and any person entitled to the service of any such prædial apprenticed labourer, who shall refuse to allow such portion of time to any such labourer, shall be subject and liable to a penalty of 40*s.* for each offence, to be recovered as hereinafter provided: provided always, that such number of days so allowed to the apprenticed labourer shall not exceed three consecutive days at one time: provided and it shall and may be lawful for the employer and the apprentice to enter into an agreement in writing, of which a copy shall be given to the apprentice, to pay to the said apprentice such sum as may be agreed on between them in lieu of time: and provided also, that in the event of the non-payment of the sum agreed on, at such times as shall be stipulated in the said agreement, it shall and may be lawful for the special justice, on the application of the apprentice, of which the employer shall have due notice, to issue a warrant against the goods of such employer, for the amount of the money due at the time of such application, which warrant any constable within the parish or district may and he is hereby required to execute, and make sale of the goods so taken under the warrant, unless the amount for which the same is issued shall be paid within three days; and the money to be received or levied under such warrant shall, immediately after the receipt thereof by such constable, be paid over to the said apprentice.

Further allowance of time for the working prædial apprentices' grounds, but which must not be injurious to the cultivation, &c. of employer's plantation.

Provisoes:
Three consecutive days only to be allowed.

Money may be paid in lieu of time, but under written agreement.

In event of non-payment, justice to proceed against employer; and manner of recovery, &c.

48. And whereas in certain parts of this Island there may not be lands proper for the cultivation of provisions, or by reason of long continuance of dry weather or other casualty the grounds hitherto appropriated for negro grounds may be rendered unproductive; be it enacted, that in such case the master, owner or other person entitled to the services of such apprenticed labourer, shall by some other ways and means make good and ample provision for all such apprenticed labourers to whose services they shall be entitled, in order that they may be properly supported and maintained, under a penalty not exceeding 40*s.* for each offence: provided always, that in such case no diminution of the 45 hours as hereinbefore mentioned shall take place.

Where grounds are unproductive, other means of support must be provided, but without any diminution of the time belonging to apprentices.

How complaints of apprentices are to be heard and decided.

49. And be it further enacted, that all complaints made by any apprenticed labourer against the person entitled to his or her services, touching any fraud practised, or refusal to furnish any such apprenticed labourer with sufficiency of provision ground, or of other means of maintenance and support in cases where such apprentice hath no provision ground, or of illegally and improperly withholding from such apprentice any portion of the time allowed him or her to cultivate such ground, or of imposing task-work on any apprentice labourer contrary to the provisions of this Act, or of breach of any contract on the part of any person engaging the voluntary services of any apprenticed labourer, or of any cruelty, injustice or other wrong or injury done to or inflicted upon any apprenticed labourer by the person entitled to his or her services, shall be heard, adjudged and determined before any one or more special justice or justices; and he or they is or are empowered to punish any offender in any of these respects last-mentioned with a fine not exceeding 5*l.*; and for default of goods and chattels whereon to levy such fine the offender shall be committed to gaol until he or she shall pay or satisfy the same, but such imprisonment shall not exceed five days: provided, that nothing herein contained shall be deemed or taken to bar or destroy the right of any apprenticed labourer to proceed in the supreme or assize courts, or the courts of quarter session or common pleas, for any wrong or injury done to or committed against his or her property or person by any person whomsoever.

Proviso: Apprentices may proceed in higher courts for wrongs or injuries done them or their property.

Task-work, in cases of necessity, may be imposed, with consent of special justices;

and willingness of majority of adult apprentices.

50. And be it further enacted, by the authority aforesaid, that in cases where it shall be necessary for the cultivation of any plantation, sugar-work, pen or other settlement, or for gathering in or manufacturing the crops and produce thereof, to impose task-work on the prædial apprenticed labourers thereof or working thereupon, it shall be lawful for any special justice to sanction such task-work, provided such apprenticed labourers, or a majority of the adults among them, shall be willing and desirous collectively to undertake the same.

Work may be done either by day or task, as employer and apprentice may contract for, but sanctioned by special justice, and for one year only, &c.

51. And be it further enacted, that it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for work to be done either by the day or by the task for such wages or consideration as they may agree upon; provided always, that such contracts or engagements shall be sanctioned by a special justice, and that no such agreement shall be for a longer period than one year, and that no task-work shall be imposed upon any body of apprenticed labourers except by consent of a majority thereof.

Indentures to be as those used in England.

52. And be it further enacted, by the authority aforesaid, that all indentures of apprenticeship of children required by this Act shall be, as nearly as the nature of the case will admit, in conformity with and upon the same terms and conditions as indentures of apprenticeship of children made by the parochial or municipal authorities in any parish or town in England, and shall be recorded in the Secretary's Office of this Island.

53. And whereas it is necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in discharge by the justices holding special commissions of the jurisdiction and authorities by this Act committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of this Island into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such special justices of the apprenticed labourers within their districts; and it is also necessary that regulations should be made for indemnifying and protecting such special justices of the peace in the upright execution and discharge of their duties; be it therefore enacted by the authority aforesaid, that the Governor, or person exercising the functions of Governor of this Island, shall and he is hereby authorized, required and empowered to make division of the Island into districts for the purposes of this Act, which division shall be made and set out by metes and bounds to be laid down and expressed according and with reference to Robertson's maps recorded in the Secretary's Office of this Island, and any proclamation to be issued by the Governor, or person executing the functions of Governor, shall carry into effect such division of districts as aforesaid: provided always, that the city of Kingston shall not be taken to be included and comprised within any of such districts or divisions.

Governor empowered to divide the Island into districts, for the purposes of this Act.

Proviso: Kingston excluded.

Visitation, and for what purposes, of special justices, to properties on which there are prædial apprentices, exceeding 40.

54. And be it further enacted, by the authority aforesaid, that the special justices to be appointed for each district, or some other special justice, shall visit each plantation, sugar-work, pen or settlement within such district upon or to which there shall be attached, or upon which there shall be working any number of prædial apprenticed labourers exceeding 40, one day at least in every 14 days, and oftener if required, for the purpose of hearing and determining the several matters and things by this Act declared to be within their authority and jurisdiction; and such special justices shall for that purpose have full and free ingress and egress into and out of all such plantations, sugar-works, pens or other settlements without hindrance or molestation at any time between sunrise and sunset; and shall also have power, for the purpose of investigating any complaint, to cause to be brought before him any of the apprenticed labourers belonging to or upon the said plantation, sugar-work, pen or other settlement; and shall have such powers to summon and enforce the attendance of witnesses as is hereinbefore given to justices of the peace to compel the attendance of witnesses in cases of compulsory discharge from apprenticeship; and such special justice may, if he pass sentence of confinement upon such apprentice, and if he shall see fit, to direct that confinement shall take place upon the plantation or settlement to which such apprentice shall belong, or be then working upon.

Offenders on properties on which there are less than 40, may be taken

And be it further enacted, by the authority aforesaid, that the person entitled to the services of any apprenticed labourer working upon or attached to or living at any plantation

or

or settlement upon which there shall be less than 40 apprentices, shall be at liberty to carry any offending apprentice before any special justice at the plantation or settlement at which such special justice shall sit by virtue of this Act, nearest to the place where such offences shall have been committed, or to any place within the district where such special justice shall sit, provided such place shall be nearer than any plantation or settlement at which such special justice shall so sit; and any apprenticed labourer attached to or working upon, or living upon any plantation or settlement upon which there are less than 40 apprentices, may in like manner prefer his or her complaint for any offences committed against him or her before the special justice at the plantation or settlement at which such special justice shall sit nearest to the place where such offence shall have been committed, or in any place within the district where such justice shall sit, provided as aforesaid, that such place shall be nearer than any plantation or settlement at which any special justice shall so sit; provided, that when and so soon as police stations shall be appointed under and by virtue of any Act of the Governor, Council and Assembly of this Island in any of such districts, all such offences as aforesaid committed by or against apprentices upon plantations or settlements having less than 40 apprentices may be heard and determined before such special justice at such station-house.

to the plantation where justices may be sitting.

Proviso as to locality of places where special justices are to sit.

Apprentices may prefer their complaints in like manner as above provided against them.

Proviso: After police stations are appointed, complaints to be heard at station-house.

56. And be it further enacted, by the authority aforesaid, that a special justice of the peace shall sit in the city of Kingston once every day, from the hours of ten to three, to hear and determine upon the several matters and things within their authority and jurisdiction as aforesaid; and all cases arising or offences committed within the jurisdiction of such special justice in all other towns and villages in this Island, shall be heard and determined by such special justice at any plantation, settlement or place at which he shall sit: provided always, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

In Kingston, special justices to sit once every day, from 10 to 3.

Proviso: Powers of supreme courts, or of civil and criminal justice, not abrogated.

57. And be it further enacted, that any apprenticed labourer who shall, during his or her apprenticeship, wilfully absent himself or herself from the service of his or her employer for a period exceeding three months at any one time, may be sentenced by any special justice, either to serve his or her employer after the expiration of his or her apprenticeship for so long a time as he or she shall have absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); provided that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

Wilful absence of apprentices for three months, how redeemable.

But not after seven years.

58. And be it further enacted, that no apprenticed labourer shall be compelled or compellable to labour on Sundays, except in works of necessity or in domestic services, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer, except as aforesaid, be liable to be hindered or prevented from attending anywhere on Sundays for religious worship at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

Apprentices not to be compelled to labour on Sundays, except in works of necessity, &c., not to be hindered from attending anywhere for religious worship.

59. And be it further enacted, by the authority aforesaid, that from and after the 1st day of August 1834, no person whomsoever shall on Sunday expose for sale in any market, or in any shop or other place, any goods, wares or merchandize or provisions, under a penalty not exceeding 5*l.* for every offence; provided, that in case the goods or provisions so exposed for sale shall not exceed in value the sum of 5*l.*, the same may, in lieu of such penalty, be forfeited, by order of any justice of the peace, for the benefit of the poor of the parish in which such offence is committed; and provided also, that nothing herein shall extend to prevent the keeping open of any druggist's shop, tavern or lodging-house, or the sale of fresh meat, fresh fish or milk on Sunday, such sale, however, not to take place in any town or village during the celebration of divine service therein; and that from and after the 1st day of August 1834, Saturday in each week shall be the day given to every prædial labourer; provided, that prædial labourers employed in works of necessity, tending cattle, domestic services and in protecting property, shall have some other day in lieu of Saturday.

After 1 August 1834, Sunday markets to be abolished.

Goods exposed after sale, to be seized.

After 1 August, prædial labourers to have Saturday in each week, and exceptions as to certain employments of prædial labourers, who are to have another day in lieu of Saturday.

60. And be it enacted, that in all cases of urgent necessity it shall be lawful for the owner or other persons in management of such property, where such necessity shall occur, to require and compel the immediate and continued service of any or all of the apprenticed labourers during such emergency.

In cases of urgent necessity, the immediate and continued services of apprentices may be compelled.

61. And be it enacted, that no such apprenticed labourer shall, during the continuance of such their apprenticeship, be liable to be arrested or imprisoned for debt, or be liable to be called on, or be competent to serve in the militia of this Island, or to serve as a juror.

Apprentices cannot be arrested for debt, and are incompetent to serve in the militia or as jurors.

62. And be it enacted, that all such apprenticed labourers shall, during the term of such their apprenticeship, be and they are hereby disqualified from being elected members of Assembly, vestrymen, common councilmen, or aldermen, or churchwardens, or coroners, or of voting at any election for any of the offices aforesaid, or being appointed justices of the peace.

They are disqualified from holding certain offices.

63. And be it further enacted, that if any slave or slaves shall be guilty of any offence now triable under an Act, intituled, "An Act for the Government of Slaves," and not be brought

Slaves guilty of offences under slave law, not tried before 1 August

1834, to be then tried under this law.

brought to trial before the 1st day of August 1834, it shall and may be lawful to bring such slave or slaves to trial under and by virtue of the powers and provisions of this Act, and to award such punishment as the law provides.

Commissioners to be nominated by Governor for allotting compensation.

64. And whereas it may be necessary that, for the purpose of allotting a proportion of the compensation fund to such persons in this Island as are entitled thereto, and carrying the other provisions of this Act into effect, certain commissioners should be appointed; be it enacted, that the Governor or person exercising the functions of Governor is hereby empowered to appoint and nominate such number of commissioners for that purpose as he shall think fit.

No remuneration to commissioners who should be members of Assembly.

65. And be it further enacted, that no remuneration shall be given for and in respect of the execution of the said commission to such of the said commissioners as shall be members of the House of Assembly of this Island.

Powers of the commissioners.

66. And be it further enacted, that the said commissioners may examine upon oath, or affirmation if a Quaker (which oath or affirmation they, or any of them, are and is hereby authorized to administer), all persons who shall appear before them to be examined as witnesses touching any matters or things which may be depending, or touching any questions which may arise in the execution of the powers vested in the said commissioners by this Act; and may also receive any affidavits or depositions in writing, upon oath or affirmation, touching such matters or things as aforesaid, which shall be made before any justice of the peace of any county or shire, or any magistrate of any borough or town corporations in Great Britain or Ireland where or near which the person making such affidavit or deposition shall reside, or before the chief justice or any other judge of any of the courts of record, or the supreme court of judicature in this Island, and certified and transmitted to the said commissioners under the hand and seal of such justice or magistrate, chief justice or judge, (and which oath or affirmation every such justice or magistrate shall be and is hereby authorized and empowered to administer); provided, that in every such affidavit or deposition there shall be expressed the addition of the party making such affirmation or deposition, and the particular place of his or her abode.

Punishment for perjury.

67. And be it further enacted, that if any person or persons, upon examination on oath or affirmation before the said commissioners respectively, or if any person or persons making any such affirmation or deposition as before mentioned, shall wilfully and corruptly give false evidence, or shall in such affirmation, affidavit or deposition wilfully or corruptly swear, affirm or allege any matter or thing which shall be false or untrue, every such person or persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the pains and penalties of persons convicted of wilful and corrupt perjury.

Application of penalties.

68. And be it further enacted, that all fines and penalties imposed by this Act shall be recovered before any special justice of the peace by warrant of distress and sale of the offender's goods and chattels, to be applied for the use of the public of this Island.

Documents exempted from stamp duty.

69. And be it further enacted, that no duty by stamps shall be imposed on any document or proceeding required by this Act.

British stat. 52 Geo. 3, c. 155, to be in force in this Island.

Justices holding special commissions under 3 & 4 Will. 4, c. 73, have the same powers under the above Act as are exercised by justices in England.

70. And be it enacted, that a certain statute, made in the 52d year of his late Majesty King George the Third, intituled, "An Act to repeal certain Acts, and amend other Acts relating to Religious Worship and Assemblies, and Persons teaching and preaching therein," shall be and is hereby declared to be in force in this Island: provided nevertheless, that any two or more justices of the peace holding special commission under the 3 & 4 Will. IV., c. 73, shall have, exercise and enjoy all and every the jurisdiction, powers and authorities whatsoever which by force and virtue of the said Act are within the realm of England had, exercised and enjoyed by the several justices of the peace, and by the general and quarter sessions therein mentioned.

This Act may be altered during the present session.

71. And be it enacted, that this Act may be altered, varied, amended or explained by any other Act or Acts to be passed this session.

— No. 2. —

No. 2.

Jamaica ss.

AN ACT to repeal part of an Act, 4 Will. IV. c. 41, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island;" and to explain and amend, and in aid of the said Act:—Passed 4th July 1834.

Preamble.

Proviso at the end of the 4th clause repealed.

WHEREAS it is expedient and necessary to explain and amend certain parts of an Act of the 4 Will. IV. c. 41, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island;" be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted and ordained, by the authority of the same, that the proviso at the end of the fourth clause of the said Act shall be, and the same is hereby repealed.

And

And it is hereby enacted, that no person of the age of 12 years and upwards shall be included in either of the two classes of prædial apprenticed labourers in the said Act mentioned, unless such person shall, for 12 calendar months at the least next before the 28th day of August 1833, have been habitually employed in agriculture, or in the manufacture of colonial produce.

No person of the age of 12 and upwards shall be included as apprenticed labourers, unless they were employed 12 months at the least in agriculture, &c.

And whereas doubts have arisen whether under the said Act persons having a limited right to the services of apprentices, or who hold apprentices which are subject to trusts, limitations and incumbrances, have power to discharge such apprentices from the term of their apprenticeship or any part thereof; be it therefore enacted, that any person entitled to the services of any apprenticed labourer, and which apprenticed labourer shall be subject to any trust or limitation, or any femme coverte, or guardian or guardians of a person of nonage, or committee of a lunatic or insane person, shall be entitled to the services of any apprenticed labourer, and shall be desirous to discharge such apprentice, such person is authorized and required to apply to the nearest special justice under the said Act, who shall thereupon give notice twice in the county newspapers of his intention to proceed to value the said apprenticed labourer; and such justice shall, at a time and place by him to be appointed, associate with him one other justice of the peace; and such two justices shall proceed to fix a value upon such apprenticed labourer, which valuation shall be binding and conclusive on all parties; and the amount of the value so fixed by such two magistrates shall be paid, applied or invested in such manner and way, and in such parts and proportions as the compensation money for such apprenticed labourer under an Act of the Imperial Parliament, 3 & 4 Will. IV. c. 73, shall have been awarded, paid and applied, or invested: provided always, that in case such compensation money shall not have been paid or awarded, then that the amount of the value so fixed by the said two justices shall be paid into the office of the receiver-general, there to remain until such compensation money shall be awarded, and then to be paid out or invested, in conformity with such award or compensation, under an order of any judge or justice of the grand or assize courts of this Island.

Person entitled to the services of apprenticed labourer, who is subject to any trust or limitation, or, &c. &c., and desirous to discharge such apprentice, may apply to the nearest justices under the Act, and after two weeks' notice, shall value apprenticed labourer. Valuation considered conclusive.

Proviso.

And be it further enacted, that upon the amount of such value being so paid into the receiver-general's chest, or paid to the person entitled to receive the same, or invested as aforesaid, the said two justices shall discharge such apprentice from the term of his apprenticeship, and shall grant a certificate of discharge in the form laid down in the 10th clause of the hereinbefore recited Act of the 4 Will. IV. c. 41.

When valuation is paid into the receiver-general's chest, or to the person entitled to receive it, justices shall discharge such apprenticeship.

And whereas it is necessary to regulate uniformity in the hours of labour, be it enacted, that on all sugar estates and other plantations, field labour shall commence with sunrise and terminate with sunset, giving such cessation in the middle of the day as, with the usual half hour allowed for breakfast, shall reduce the actual time of labour to nine hours in the day: provided always, that nothing herein contained shall prevent the employer and the labourers from making any other arrangements as to the hours of labour which they may mutually agree upon.

Hours of labour on estates and plantations.

Proviso.

And be it enacted, that it shall be the duty of every employer to intimate to the labourers in his or her employment the commencement and the close of the legal hours of labour, by the usual mode of ringing a bell or blowing a horn or shell, or any other signal, which shall be always of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such person.

Employer's duty to intimate to labourers the hours of labour, by some signal or sound, &c.

And whereas apprenticed labourers not being over 50 years of age, nor incapable from mental or bodily infirmity of earning a subsistence, may under the seventh clause of the Abolition Act be voluntarily discharged by their employers: And whereas such discharged labourers may afterwards become destitute, and give rise to doubts as to the condition in which they were discharged, and the consequent liability of the employer to provide for their support and maintenance; be it enacted, that every master or employer who shall voluntarily discharge any apprenticed labourer or labourers, such master or employer shall in every such case bring such labourer or labourers before the vestry of the parish in which he shall reside, to be approved and recorded according to the seventh clause of the Abolition Act; and in case any master or employer shall discharge any apprenticed labourer or labourers without having so produced them to the inspection of the vestry as aforesaid, then and in every such case such master or employer shall, in the event of such labourer or labourers being found in a state of destitution, be held liable for their support and maintenance for the remaining term of the apprenticeship.

Employers who shall discharge any apprenticed labourer shall bring such labourer before the vestry of his parish, and comply with the 7th clause of Abolition Act.

And be it further enacted, that any apprenticed labourer who shall be unable from sickness to attend to his or her usual labour, such labourer shall without delay repair to the plantation hospital, and there shall receive the same medical care and attention as has heretofore been customary, and shall in like manner be subject to all such necessary sanatory restraint and control as the medical attendant shall direct; and in case any apprenticed labourer shall absent himself or herself in the morning from his or her usual labour upon pretext of indisposition, such labourer so offending shall, upon conviction thereof before any special justice, be compelled to make up such loss of time to the employer, in the same manner as in the case of absence from the field.

Apprenticed labourers who shall be unable from sickness to attend usual labour, shall go to the hospital of the plantation, &c., and receive medical assistance.

In case labourer shall absent upon pretext of indisposition, such labourer, upon conviction before justice, to make up loss of time.

Provided always, and be it further enacted, that where there shall be no hospital, the said apprenticed labourers shall receive such medical attendance and relief as is now customary in this Island.

Proviso.

Apprenticed labourer convicted before justice of damaging any fruit trees, &c., and of injuring property of employer, shall be sentenced to hard labour, &c. &c.

And be it further enacted, that any apprenticed labourer or labourers who shall be convicted before any special justice of having wantonly cut down or damaged any fruit or other trees, or of having wantonly pulled down or injured any house or outhouse upon the property of his, her or their employer, such apprenticed labourer or labourers so convicted, shall be sentenced to hard labour in the house of correction or pénal gang of the parish for a term not exceeding three months, or to receive any number of stripes not exceeding 39, or if a female, to hard labour not exceeding 20 days.

Explanation of the 60th clause of the Abolition Act.
Considered an offence against this Act. when employer compels labourer to work beyond the number of hours, except in conformity with 42d, 50th and 51st clauses of said Act.

And whereas doubts have arisen as to the meaning of the words, "urgent necessity," in the 60th clause of the said Act, for removal thereof, be it enacted, that such words shall be deemed and taken to mean cases of hurricane, tempest, earthquake, flood, fire or other misfortune, the act of God, and which could not have been prevented by previous due caution on the part of the employer; and that any person who shall otherwise compel any prædial apprenticed labourer to work beyond the legal number of hours, save and except in conformity with the 47th and 50th, and 51st clauses of the said last-mentioned Act, shall be deemed and taken to have committed an offence against the said Act.

No action to be brought against any special justices, for acts done in such capacity, unless notice be given or service made on him, &c. at least one month before action is brought. If defendant should have a verdict, or nonsuit plaintiff, treble costs out of purse shall be paid to defendant.

And be it further enacted, that no action or suit shall be brought or commenced by any person against any special justice for any act, matter or thing done by him in the execution of the said Act of 4 Will. IV. c. 41, or of this Act, or of any Act passed in aid of or to explain and amend the said Act of the 4 Will. IV. c. 41, unless notice of bringing such action shall have been served on such special justice, or left at his usual or last place of abode, at least one month previous to such action being brought; and if a verdict shall be given for the defendant in any such action or suit, or the plaintiff therein shall be nonsuited, or such action shall be discontinued for want of going to trial, the plaintiff therein shall pay to the defendant treble the amount of his full cost out of purse expended by him in the defence of the said action or suit.

If notice given to special justice, against whom an action will be brought, and he tenders to plaintiff amends, or consents to pay costs incurred to that time, and plaintiff refuses, Court directed how to act, when decided for the plaintiff.

And be it further enacted, that if any such special justice against whom any action or suit shall be so brought, shall at any time after such notice given, before the trial of the said action, tender to the said plaintiff sufficient amends for such wrong or injury in respect of which such action has been so brought, and submit to pay the cost of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs, and the verdict shall be given for the plaintiff for the sum so tendered, or a lesser sum, then the court shall order and direct the plaintiff, out of such damages, to deduct the full costs of purse of the defendant, and an execution shall be lodged only for the amount of such damages after such deduction.

No action can be brought against any justice under these Acts, unless it shall commence six months after action occurred.

And be it further enacted, that no action or suit shall be brought against any special justice in respect of any act, matter or thing by him done in pursuance of the said Act of 4 Will. IV. c. 41, or of this Act, or of any Act to be passed in aid of or to explain and amend the said Act of 4 Will. IV. c. 41, unless the same shall be commenced within six months after such cause of action shall have accrued.

Apprenticed labourer convicted of aiding another to quit the Island, without consent of employer, how punishable.

And be it further enacted, that any apprenticed labourer who shall be convicted before any special justice of aiding and abetting any other apprenticed labourer in quitting or attempting to quit the Island, without the written consent of his or her employer, such apprenticed labourer so convicted shall be liable to imprisonment with hard labour for any time not exceeding three months, and if a male, to whipping not exceeding 50 stripes, or to three months' imprisonment with hard labour.

Persons not apprenticed labourers, who shall assist apprentices in removing or quitting the Island, shall forfeit 100 *l.*, to be recovered by two magistrates, in the same manner as servants' wages are made recoverable.

And be it further enacted, that any person not being an apprenticed labourer, who shall remove or assist in removing any apprenticed labourer from this Island in any boat or vessel, without the written consent of his or her employer, such person shall for every apprenticed labourer he or she shall remove or assist in removing from this Island, forfeit the sum of 100 *l.*, current money of Jamaica, to the use of the employer of such apprenticed labourer, to be recovered as servants' wages, before any two justices of the peace.

Apprenticed labourers, whose occupation is on the sea as fishermen, &c., to be registered as such.

Apprenticed labourer neglecting to register, shall be corrected and punished.

And be it further enacted, that all apprenticed labourers whose ordinary occupation is on the sea, as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation, without being first so registered, except with the consent of his employer, shall be liable on conviction thereof on the complaint of his employer, to imprisonment with hard labour for any time not less than six weeks nor exceeding three months, or to whipping not exceeding 39 stripes.

Apprentice absenting for one week, employer to report the name of deserter to sub-inspector, that a record may be kept.

20 *s.* reward for apprehension of deserter.

And be it enacted, that when any apprenticed labourer shall without leave have absented himself or herself for one entire week or upwards from the service of his or her employer, such employer shall report the name and description of such deserter to the sub-inspector of the district, that a record may be kept of all such deserters, and every means used for their apprehension, the more effectually to accomplish which, a reward of 20 *s.* shall be paid to the person who shall apprehend and secure any such deserter, and which, in the first instance, shall be charged to and paid by the employer, but repaid to him or her out of such deserter's own time, in such manner as a special justice shall direct.

Apprentices establishing themselves as a distinct community, without lawful permis-

And be it further enacted, that if it shall be made appear to the satisfaction of any two special justices of the peace, that any apprenticed labourers have without lawful authority established themselves in any part of the Island as a distinct community, habitually abandoning

doning and neglecting to perform the duties imposed on them by law, such justice of the peace shall cause any such community to be dislodged by the police of the district, and if necessary shall also cause their settlements to be taken down and destroyed.

sion, justices shall cause police to destroy settlements, if necessary.

And be it further enacted, that any apprenticed labourer who shall be convicted before such special justice of the peace of having been a member of any such community as aforesaid, shall be adjudged to imprisonment with hard labour for any term not exceeding six months; and if a male, to whipping not exceeding 50 stripes, or imprisonment with hard labour for any term not exceeding six months.

Apprentices convicted of having been members as aforesaid, shall be imprisoned, &c.

And be it further enacted, that if any person shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, every such person so offending shall for every such offence, upon conviction thereof before any two or more justices of the peace, in case the party complained against be not an apprenticed labourer, but if an apprenticed labourer, then before the special justice of the district, on the complaint of the employer or employers of such apprenticed labourers, be adjudged to pay and shall pay to the person or persons entitled to the services of such apprenticed labourer, the sum of 10*l.* current money of this Island, for each and every such apprenticed labourer so harboured, concealed or clandestinely or fraudulently employed, and the further sum of 10*s.* like current money, per day, for each and every such apprenticed labourer, for each and every day or part of a day such offender or offenders shall be proved to have so harboured, concealed or fraudulently or clandestinely employed any such apprenticed labourers; and upon the hearing of any such complaint, it shall and may be lawful for such justices of the peace, and they are hereby authorized and empowered, if they shall see just cause, to examine the party complained against upon his or her oath touching the matter of such complaint; and in case the party accused being legally summoned, the service of which summons shall be 10 days at least before the hearing of such complaint, and return thereof made on oath by the constable who shall have executed such summons, shall, without some reasonable cause to be allowed of by such justices, fail to attend the hearing of such complaint, the justices shall give judgment therein for the said sum of 10*l.* against such offender, and in failure of the payment of such fine or penalty, such person shall be and stand committed by warrant under the hands and seals of the said justices, to the common gaol, for a period not exceeding six months; and such justices are hereby required, if necessary, to issue either a search warrant for the apprehension of such apprenticed labourer, or a summons to the party accused, requiring him or her to produce such apprenticed labourer at the time of hearing such complaint, in order that he or she may be delivered over to his or her employer, and in failure, unless it shall appear on the oath of such party accused, that he or she cannot procure the attendance of such apprenticed labourer, such justices shall and they are hereby required to issue a warrant for the apprehension of every such apprenticed labourer, and for searching the premises of the person or persons convicted under this clause, or any other premises where there shall be reasonable ground to believe that such apprenticed labour is harboured or secreted: provided always, that no such warrant shall issue for the apprehension of any apprenticed labourer, unless such warrant shall be signed by a special justice; and such justices are hereby fully authorized to examine such persons on oath, or any other person or persons who may be able to discover where such apprenticed labourer is to be found, and on the apprehension of any such apprenticed labourer, such constable is hereby required to deliver him or her over to a police officer of the district to which such apprenticed labourer belongs, to be dealt with according to law; and if the offender be an apprenticed labourer and unable to pay the penalties hereby imposed, such apprenticed labourer, if a male, to be liable to whipping not exceeding 39 stripes, and if a female, to solitary confinement for any time not exceeding 10 days, or to hard labour not exceeding three months, or if the offender be a non-prædial female apprenticed labourer, then and in such case she shall be permitted, if able to do so, to make any other satisfaction the injured party shall be willing to receive: provided always nevertheless, that nothing herein contained shall extend to the employing of any prædial apprenticed labourer on Saturday, or on any other day to which such prædial apprenticed labourer shall be entitled to his or her earnings, unless the party employing shall have express and actual notice from the employer of any apprenticed labourer, or his representative, that such prædial apprenticed labourer hath been adjudged to work on any such Saturday, or any other day as aforesaid, for the benefit of his or her employer or employers.

Persons harbouring labourers from employer's service without leave, upon conviction, to pay a fine of 10*l.* for each, and a further sum of 10*s.* each per day.

Party accused to be summoned 10 days before complaint is heard, and in case of non-attendance, judgment to be given.

In failure of payment, to be committed to gaol for six months.

If necessary, justices may issue a search warrant for the apprehension of apprenticed labourer, on a summons to the party accused, requiring such apprenticed labourer to be delivered over to employer.

Proviso.

Justices authorized to examine persons on oath who may be able to discover where apprenticed labourer is harboured, and when apprehended, to be delivered to police officer of the district.

Offenders, how punishable.

Proviso.

And be it further enacted, that if after the expiration or other determination of the term of apprenticeship of any apprenticed labourer, he or she shall having had three months' notice to quit previously to the determination of such apprenticeship, refuse to quit and deliver up possession of any land, dwelling or building which he or she shall have been permitted or suffered to occupy during his or her state of apprenticeship to his or her employer or employers, or to any person or persons acting on his, her or their behalf, every such person shall be deemed and considered a trespasser, and it shall and may be lawful in such case for any two justices of the peace associated together, upon a complaint made, and the conviction of the offender, to eject such offender from such land, dwelling or building, and inflict such punishment not exceeding 10*l.*, or imprisonment not exceeding 30 days, as to such justices shall seem proper.

After the expiration of the term of apprenticeship, if three months' previous notice be given to quit, and they refuse, to be considered as trespassers.

Justices, upon complaint being made, to fine or imprison offenders.

And be it further enacted, that it shall and may be lawful for any special justice, and he is hereby authorized and empowered to substitute any given number of hours of work on

Special justice may substitute any given number of hours of work on

the tread-mill for any of the punishments imposed by this Act, &c.

the tread-mill in any house of correction or otherwise, for any of the punishments imposed by this or any other Act on apprenticed labourers, as he in his discretion shall consider necessary and proper.

Employers may, during apprenticeship, agree with labourers to pay a certain sum in the place and stead of clothing, &c., as are prescribed by the 16th clause of 4 Will. 4, c. 41.

And be it further enacted, that during the continuance of any such apprenticeship a aforesaid, it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for a certain sum or sums of money to be paid by such employer to such apprenticed labourer, either by the week or in such other manner as may be agreed upon, in the place and stead of such clothing and other maintenance and allowances as are provided by the 16th clause of the Act of this Island, 4 Will. IV. c. 41: provided always, that such contracts or engagements shall be sanctioned by a special justice.

Proviso.

This Act to be in operation during martial law.

And be it enacted, that the operation of this or any other law for the governance of the apprentices shall not be suspended by martial law, any law, usage or custom to the contrary thereof in anywise notwithstanding.

The 1st day of August declared a holiday.

And be it enacted, that the 1st day of August next ensuing shall be and is hereby declared a holiday throughout the Island.

By one justice of the peace, crimes and misdemeanors punishable, when committed by any subject of His Majesty, made punishable, when committed by an apprenticed labourer, by a special magistrate.

And whereas doubts have arisen as to the precise meaning of the words "crimes and misdemeanors," in the said Act, 4 Will. IV. c. 41; be it enacted, that such crimes and misdemeanors as are by law cognizable and punishable by one justice of the peace when committed by any subject of His Majesty, shall be cognizable and punishable when committed by an apprenticed labourer, by a special justice.

Nothing contained in proviso to the 49th clause of 4 Will. 4, c. 41, shall be taken to abridge the right of an apprenticed labourer to proceed in any of the courts of this Island for wrong, &c.

And be it further enacted, that nothing contained in the proviso to the 49th clause of the said mentioned Act of 4 Will. IV. c. 41, shall be taken to abridge the right of any apprenticed labourer to proceed in any of the courts of this Island, by indictment or otherwise, for any wrong or injury done to or committed against his person or property by any person whatsoever.

Act to continue in force till 31 December 1835.

And be it enacted, this Act shall be in force from the 1st day of August next and until the 31st day of December 1835, and no longer.

— No. 3. —

No. 3.

Jamaica ss.

AN ACT to Amend and Explain and Repeal part of an Act passed in the Fourth Year of the Reign of His present Majesty, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves; and to declare the 52 Geo. 3, c. 155, in force in this Island, and for other purposes."—(Passed 22 Dec. 1834.)

WHEREAS it is necessary that the Act of this Island made and passed on the 12th day of December 1833, intituled, "An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves, and to declare the 52 Geo. 3, c. 155, in force in this Island," should be amended; be it enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted by the authority of the same, that from and after the passing of this Act, the 27th, 39th, 44th and 68th clauses of the said Act shall be and are hereby repealed.

And whereas apprenticed labourers are entitled by the said recited Act to purchase their discharge from apprenticeship upon payment of the value at which their apprenticeship may be appraised; be it enacted, that before any order shall be made by the justices on any such appraisement so to be made as aforesaid, it shall be alleged before the said justices, that such apprenticed labourer purposed to be discharged hath at any time during his or her apprenticeship been convicted in a due course of law of any robbery or theft, and if it shall be made to appear to them by good and sufficient evidence on oath that such apprenticed labourer hath during his or her apprenticeship been so convicted of any robbery or theft, the said justices shall and they are hereby required not to make any order on such appraisement, and thereupon the same and all other proceedings for the discharge of any such apprenticed labourer shall be stayed until the expiration of three years of the term of his or her apprenticeship, from the time of the conviction of such apprenticed labourer of any such theft or robbery; and if such apprenticed labourer shall be under such charge before any justice or court, such justices shall suspend further proceedings on such appraisement until such apprenticed labourer shall be convicted or acquitted of any such charge, and if convicted the aforesaid proceedings shall be stayed for the period last aforesaid; and the said justices shall give a certificate under their hands and seals of such proceedings and adjudication to the party entitled to the services of the said apprentices, which shall at all times be taken and received as conclusive evidence.

And whereas it is desirable that one uniform mode of valuation should be in force in this Island, be it enacted, that the justices in fixing their valuation of any apprenticed labourer shall ascertain by the examination of witnesses or otherwise the amount in value of the services of such apprenticed labourer for one year, and after deducting one-third therefrom

to

to cover all casualties and contingencies, shall multiply the residue at the same ratio for the remainder of the term to come of his apprenticeship, and the aggregate shall be deemed the value of such apprenticed labourer; or if the apprenticeship shall be within one year of its expiration, the said justices shall proceed upon the same principle, and fix the value of such apprenticed labourer in proportion to the time his or her apprenticeship has to run.

And be it further enacted, that it shall be lawful for the owner, proprietor or manager of every sugar estate so to regulate the hours of labour as to enable him or her, if necessary, to carry on the manufacture of sugar, when the mill is about, for 18 hours out of the 24, provided that no apprenticed labourer, unless by his or her own consent, shall be required to labour for a longer time than nine hours out of the 24, as already provided by law, nor shall any apprenticed labourer, unless by his or her consent, be required to labour during his or her own time allotted by law.

And whereas under the provisions of the Abolition Act it may be found impossible to continue the cultivation of many of the plantations and other settlements in this Island, and it is expedient and necessary in all such cases that the proprietors should be released from the obligations imposed under the 7th clause of that Act, to provide legal maintenance for their apprenticed labourers; be it enacted, that every proprietor of such plantation as aforesaid who shall have given six months' notice to the labourers settled thereon and to the nearest special justice, of his intention to abandon the cultivation thereof, shall be after the expiration of that time relieved from the further maintenance of all such apprenticed labourers; and that in every such case it shall be the duty of the justice to whom such notice shall have been given, to have such labourers removed from such plantations or settlements, leaving to themselves the free choice of the master or masters into whose service they shall desire to enter, and who may be willing to employ them: provided always, that agricultural labourers shall not be permitted in such case to remove to the towns, or to relinquish agricultural labour, unless they can show to such special justice a satisfactory probability of being able there to maintain themselves and families; and if such labourers shall refuse to remove as aforesaid, they shall be deemed vagabonds, and dealt with accordingly.

And whereas doubts have been entertained whether under the said recited Act the courts of quarter sessions can take cognizance of offences committed by apprentices; be it enacted, that for or notwithstanding anything in the said Act contained, it shall be lawful for the several courts of quarter sessions in this Island to take cognizance of offences committed by apprentices in the same manner as in cases of free persons.

And be it further enacted, that any apprenticed labourer who shall be found wandering as a vagabond beyond the limits of the plantation of his or her employer, without a written permission from such employer, and who shall not be able to give a satisfactory account of himself or herself, may be apprehended by an estate or other constable and brought before the nearest justice of the peace, and upon conviction shall be adjudged a vagabond, and sentenced accordingly; provided that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of divine worship on the Sabbath-day, or to or from the Saturday market, or at such market or place, or in their way to or from their provision grounds during the time allotted to them as their own; and provided that nothing herein contained shall be deemed or construed to abridge or in anywise interfere with the full and free use and enjoyment by such apprentices of the time by law allotted to them as their own.

And be it enacted, that with the permission of the owner or manager of any plantation or settlement, and not otherwise, it shall and may be lawful for a special justice, and he is hereby required to establish a penal gang on any such plantation or settlement; and it shall and may be lawful for a special justice, where any apprenticed labourer has been sentenced to hard labour in the penal gang, to enrol such apprenticed labourer among the penal gang of the plantation or settlement to which such apprenticed labourer belongs, if with the permission of the owner or manager a penal gang has been established on such plantation or settlement.

And be it further enacted, that the special justice may be and he is hereby authorized to abolish any penal gang established on any plantation or settlement when to such special justice it may seem meet, and transfer the apprentices doing work in such penal gang to the penal gang of the parish in which such plantation or settlement is situate, there to work for such time as shall remain unexpired of his, her or their period of punishment.

And whereas serious injury has arisen in consequence of apprenticed labourers stationed as watchmen absenting themselves from their posts and otherwise neglecting their duty; be it enacted, that if any apprenticed labourer stationed as a watchman shall wilfully absent himself from his post, or shall be guilty of any neglect of duty, by which the property of his employer shall be damaged, such apprenticed labourer shall upon conviction thereof before any special justice be sentenced to make good to his employer any damage that may have been sustained through his neglect or default, by labour in his own time, or to receive any number of stripes not exceeding 50; provided always, that no watchman shall be mulct exceeding 30 days' labour for any neglect of duty.

And whereas the public peace has been endangered by apprenticed labourers, in large numbers, leaving their homes and travelling to a great distance therefrom under pretext of receiving redress of grievances; be it enacted, that if any five or more such apprenticed

labourers shall, without the written authority of their masters or employers, proceed in a body or in a tumultuous or riotous manner from the estate or plantation to which they are attached, it shall and may be lawful for any justice of the peace, and he is hereby authorized and required, upon complaint made or knowledge of the fact, to issue a warrant under his hand and seal to any lawful constable or constables or policemen, to apprehend such apprenticed labourers and lodge them in the nearest gaol or house of correction, there to be kept in safe custody until the case shall have been heard and determined by due course of law before any special justice of the peace, who is hereby authorized and empowered to hear and determine on the same, and if it shall be made to appear to such justices that such apprenticed labourers have quitted their homes without justifiable cause, they shall, if males, be adjudged to a public whipping not exceeding 39 stripes; or if females, to solitary confinement not exceeding 10 days, or to work in the penal gang for a period not exceeding one month: provided always, that nothing herein contained shall be taken to prevent any apprenticed labourer from freely resorting to the nearest special justice, to procure his attendance on any plantation in case the apprenticed labourer shall have any grievance to complain of.

And whereas great damage arises to plantations in consequence of hogs and goats being suffered to roam at large; be it enacted, that if any hog or goat shall be found at large in any cane pieces, provision ground, coffee pieces, orchards, gardens or field under cultivation, without the consent of the owner or proprietor thereof, or of his or her manager, it shall be lawful for the owner, proprietor or manager of the property where such hog or goat shall be so found, to cause such hog or goat so trespassing as aforesaid to be destroyed.

And be it enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation (except the wives of the apprentices legally married living on such plantation) who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; provided that such apprenticed labourer so confined as aforesaid shall not be kept in custody longer than shall be necessary to procure the attendance of a special justice, to whom immediate notice shall be given: provided always, that if the attendance of a special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid, if he shall think proper, to order the release of such apprenticed labourer so confined as aforesaid, after the expiration of 24 hours, and if not discharged, such proprietor or manager shall and he is hereby required to take the said apprenticed labourer before the nearest justice of the peace, who shall thereupon, if he shall see cause, authorize the further detention of such apprenticed labourer until the attendance of a special magistrate can be obtained, or, according to the nature of the offence, commit such apprenticed labourer to the gaol or house of correction, to be dealt with according to law: provided nevertheless, that in the event of such apprenticed labourer being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint on which such apprentice was confined before the special justice when he shall next come upon the estate.

And be it further enacted, that all inferior misdemeanors, petty thefts not exceeding in value 5*l.*, and trespass committed by apprenticed labourers against each other or against the person entitled to his, her or their services, or against any other person, and not hereinbefore specified, may be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person entitled to the services of the apprenticed labourer complained against, where such person so entitled to his or her services is not the complainant; and such justice shall, upon conviction of such apprenticed labourer, order and direct such punishment to be inflicted as he shall think proper, not exceeding 50 lashes, nor three months' imprisonment to hard labour, nor 20 days solitary confinement; provided that nothing in this Act, or in the said recited Act for the Abolition of Slavery, or in any Act in aid thereof contained, shall be taken to authorize any justice of the peace to sentence any female apprentice to be flogged or beaten; and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of his or her right to proceed against any such apprentice in any of the superior courts of this Island, or any court of quarter sessions or common pleas for remedy against any apprentice for any wrong or injury done or committed to or against the person or property of such subject.

And be it enacted, that for and notwithstanding anything in the said recited Act contained, it shall be lawful to sell bread and grass on Sunday, provided the same are not exposed to sale during divine service.

And whereas great inconvenience has arisen and may arise from large bodies of apprentices assembled at public meetings; be it therefore enacted, that from and after the passing of this Act, it shall not be lawful for any apprenticed labourer or labourers to attend or vote at any public meeting.

And be it enacted, that if any person or persons shall consider himself or themselves aggrieved by the proceedings and decisions of any special justice, such person or persons shall have the right of appeal against any such decision to the supreme or assize courts.

And

And whereas doubts have arisen in many cases whether apprentices, who have been partly employed in agriculture or in the manufacture of colonial produce, and partly employed otherwise, shall be classed as prædial or as non-prædial labourers; be it therefore enacted, that in all such cases, if the apprentice and the person or agent of the person entitled to the services of such apprentice shall appear before any justice holding special commission, and declare they both agree in which of the said two classes such apprentice shall be placed, the said apprentice shall be so classed; and such justice shall give a certificate of the facts, and of which class such apprentice is placed in, and such apprentice shall thereafter be taken to belong to such class until the termination of the apprenticeship.

And be it enacted, that no apprentices nor other persons shall, between the hours of nine in the evening and four in the morning, hold meetings or revels, nor use any drums, gumbays or other noisy instrument on any plantation or estate without permission of the owner or manager thereof; and all apprentices or other persons so offending shall be deemed guilty of insubordination.

And whereas certain fines and penalties are imposed by the 20th section of an Act passed on the 4th of July last, intituled, "An Act to repeal part of an Act, 4 Will. IV. c. 41, intituled, 'An Act for the Abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves,' and to declare the 52d Geo. 3, c. 155, in force in this Island, and to explain and amend and in aid of the said Act," upon any person who shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, but no sufficient remedy has been pointed out by which such fines or penalties may be levied; be it enacted, that in default of payment of any fine or penalties which may be imposed under the said 20th section of the said recited Act, it shall be lawful for the justices awarding such fine or penalties to issue their warrant, directed to the provost-marshal general, or any of his deputies, or any lawful constable, to levy such fine or penalties upon the goods and chattels of any such offender, and the same to expose to sale for payment thereof; and if no such goods or chattels can be found, and the offender shall make default in payment, such person shall be and stand committed by warrant under the hand of the said justices to the common gaol for any period of time not exceeding six calendar months.

And be it further enacted, that for the punishment of minor offences of which apprenticed labourers may be convicted, it shall and may be lawful for any special justice, instead of commitment to the house of correction, to adjudge such offender or offenders to be kept at their regular labour upon the estate, and confined during shell-blow and night for such period as the nature of the offence shall to such justice seem to require.

And be it further enacted, that it may and shall be lawful for any special justice to authorize the reasonable and necessary correction of juvenile delinquent apprentices; provided always, that such correction shall be with a strap or switch only, and that no female of the age of 10 years or upwards shall be liable to such correction.

And whereas many plantations are destitute of buildings of sufficient strength for the confinement and safe keeping of violent persons who may commit offences; be it enacted, that in every such case it may and shall be lawful to secure any such offender in the bilboes, in the same manner as has heretofore been the custom.

And whereas doubts may arise as to the number of holidays to be given to the apprenticed labourers; be it enacted, that they shall have the 25th and 26th days of December and Good Friday.

And be it enacted, that in case the buildings or works upon any property in this Island shall be on fire, it shall be the duty of every person domiciled or employed thereon to do their utmost to extinguish the same; and every person who shall refuse to assist, or shall wilfully withhold his or her assistance, shall be deemed guilty of a misdemeanor, and upon conviction, if the offender shall be an apprenticed male labourer, shall suffer such punishment by stripes not exceeding 50, and confinement to hard labour in the penal gang for any period of time not exceeding three months; and if a female, such offender shall, in addition to hard labour in the penal gang as aforesaid, be sentenced to solitary confinement for any period not exceeding 14 days, as a special justice shall direct; or if such offender shall be a free person, then upon conviction before any two justices of the peace such person shall suffer punishment by fine not exceeding 50 *l.*, or imprisonment not exceeding six months.

And be it further enacted, that all fines and penalties imposed by the Acts for the abolition of slavery, or any Act passed in aid thereof, shall be recovered by warrant of distress and sale of the offender's goods and chattels, which sale the person executing the warrant shall make within five days after the levy made, and shall be paid over to the receiver-general, and be applied for the use of the public of this Island; and every special justice shall once in every quarter make a return to the justices and vestry of the parish where the offence may have been committed, or in the city of Kingston to the mayor and common council, of every fine imposed by him in such parish, which return the justices and vestry, and mayor and common council are hereby required to lay before the commissioners of public accounts at their next meeting, or as soon thereafter as may be.

— No. 4. —

JAMAICA.

Appendix (B.)

Colonial Laws.

No. 4.

Jamaica ss.

AN ACT to colonize the Interior Lands of this Island, and form a Permanent Police:— (Passed 12 December 1833.)

WHEREAS an Act passed in the seventh year of the reign of his Majesty King George the Fourth to promote the habits of industry among the poor of this Island, intituled, "An Act to enable the Justices and Vestrymen of the several Parishes in this Island, by the acquisition and settlement of Lands, to furnish Relief to Paupers, and promote habits of Industry among them; to enable the Corporation of the City of Kingston, and the Justices and Vestrymen of the several Parishes of this Island, to bind out Apprentices, and for other purposes:" and whereas, in forming the towns, villages and farms thereby contemplated, it is necessary that a good example should be established, so as to inculcate into the minds of the uneducated principles of morality, and habits of industry and sobriety: and whereas, the late rebellion has evinced the absolute necessity of establishing a police, to be continually in readiness in case of any future insurrection, or danger of an insurrection in this Island: and whereas, for the better promoting the provisions of the above recited Act, it is expedient that districts should be formed; be it therefore enacted, by the Governor, Council and Assembly of this Island, and it is hereby enacted, by the authority of the same, that each county shall be divided into two or more police districts, the limits of which from time to time shall be declared by the Governor, or person exercising the functions of Governor, by proclamation, for the purposes of forming townships in the interior lands of the said districts as depôts for the said police.

Counties to be divided into districts, to be formed in townships.

A police to be established.

And be it further enacted, that a police shall be established in this Island according to the provisions hereinafter declared.

Commandant and other officers of townships to be appointed by Governor.

And be it further enacted, that the Governor, or person exercising the functions of Governor for the time being, shall be and he is hereby empowered by commission to appoint one commandant in each township, who shall have full command of the said police in all police duty, also in all other departments, by the cultivation of the soil and manufactories of all kinds, and who shall keep books of accounts of all transactions, and make such returns under the direction of the Governor, or the person exercising the functions of Governor for the time being, as he may direct; and also that the Governor, or the person exercising the functions of Governor, be empowered to appoint such other officer or officers as may be deemed necessary for carrying into effect the purposes of this Act.

Police stations, composed of able-bodied males, to be formed in each township, and to be subject to rules and regulations.

And whereas the security of this Island may be endangered by large numbers of vagrants, and other idle and disorderly persons assembling in the interior of this Island, and committing crimes and depredations on the properties situated therein, and by exciting insurrection; be it therefore enacted, that it shall be lawful for the Governor, or person for the time being exercising the functions of Governor, to form a station or stations in convenient situations in every district to be appointed under this Act; and he is hereby empowered to direct the commandant of each township to place such a number of persons belonging to each township as aforesaid to each station, and the said persons serving in each station to be changed alternately as he may deem expedient; and also to constitute all able males from the age of 16 to the age of 45 so placed in every township into a permanent police; and that such persons shall be subject to such rules and regulations for their government as the Governor, or person for the time being exercising the functions of Governor, shall or may hereafter appoint; provided always, that no corporal punishment shall be inflicted, nor shall any sentence extend to death by such rules and regulations as aforesaid.

Proviso.

Governor to accept contracts for, and cause to be erected, semaphores or telegraphs.

Be it therefore enacted, that the Governor, or person exercising the functions of Governor for the time being, be and he is hereby authorized and empowered to accept contracts for and cause to be erected in such station or stations one or more semaphores or telegraphs at such distance or distances as may be proper and necessary to secure the most ready and efficient communication in cases of emergencies.

Governor to order out police when required.

And be it further enacted, that whenever the services of the said police are required, it shall and may be lawful for the Governor, or person exercising the functions of Governor for the time being, to order out the whole or any part of the said police, to act as circumstances may require for apprehending vagrants, and other idle and disorderly persons, or quelling any riotous, unlawful or rebellious meetings, or on any other duty.

Officers to preserve the peace in case of sudden alarm, and custodes or magistrates to call in their assistance.

And be it enacted, that the officer in command for the time being of any part of the said permanent police shall and may, on all occasions of sudden alarm, take all such measures as are necessary to preserve the public peace; and the custos of each parish, or any magistrate thereof holding a general commission of the peace, is hereby authorized to make application for assistance whenever necessary, and the officer in command of the said police shall and he is hereby required to attend thereto and comply with such requisition.

Governor to arm, clothe &c. police.

And be it further enacted, by the authority aforesaid, that it shall be lawful for the Governor, or person exercising the functions of Governor for the time being, to arm, clothe and equi

equip in a uniform manner the men serving as such police, in such manner as he may deem expedient for the better defence of this Island: provided always, that the receiver-general for the time being shall and he is hereby directed to import or purchase from time to time such arms, accoutrements, clothing, ammunition and other necessaries as may be required of him by the Governor, or person exercising the functions of Governor for the time being, for the purposes of this Act: and provided also, that the said receiver-general do deliver the same to the order of the Governor, or person exercising the functions of Governor for the time being, for the use of the police, for which the same shall be required: provided always, that it shall be lawful for the Island storekeeper to issue, on the requisition being made by the Governor, or person exercising the functions of Governor for the time being, any arms, accoutrements, ammunition, tools or other articles, out of the Island stores.

Proviso.

Proviso.

How persons forming the police are to be employed.

And whereas it is necessary that proper authority should be established in the townships of the said police: and whereas it is also necessary that the persons forming the said police should be industriously employed; be it therefore enacted, that the Governor, or person exercising the functions of Governor, is hereby empowered to direct the commandant in each township to keep a part of the persons forming the said police as may be deemed necessary constantly on police duty in the said townships, and be alternately relieved from such duty agreeably to police regulations, and the other part of the said persons not on duty to be employed in the cultivation of the soil and manufactures for the use and benefit of the said townships, and also a proportion of their time to be engaged in the cultivation of the said land and manufactures for their own use and benefit as may be deemed expedient.

Persons enlisting to be indentured, and to be provided with land, clothing, rations, &c.

Proviso.

Proviso.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to indent all persons so enlisting into the said police for a term not less than five years; during which period they are to be provided with land sufficient to cultivate provisions and other necessaries for their own use, and with such quantity of clothing as is allowed in His Majesty's army serving in this Island, and such rations as the Governor, or the person exercising the functions of Governor for the time being, shall deem necessary, the rations not to exceed the quantity issued for His Majesty's army; and to receive such pay as the Governor, or the person exercising the functions of Governor for the time being, shall deem necessary, not exceeding the pay and allowance of His Majesty's army serving in this Island: provided always, that when the persons serving in the said police shall not be employed in police-duty, or in any other duties for the advantage of the said police, the said person shall not be entitled to receive pay or rations after the first year's service: and provided always, that tenders for the rations and all other necessaries for the said establishments shall be contracted for in the same manner as public contracts, and the lowest and most eligible tender shall be accepted by the Governor, or person exercising the functions of Governor for the time being, and security be given and approved of by him for the due performance of the said contract.

Governor to solicit His Majesty's Government to import families from Germany, &c. to form said police.

And be it further enacted, that it shall and may be lawful for the Governor, or the person exercising the functions of Governor for the time being, to solicit His Majesty's Government to import from His Majesty's German dominions or any other place, from time to time, as many persons in families as may appear expedient for the purposes of establishing the said police, and to locate such persons in some one or other of the townships in the several districts formed by this Act.

They are to have the advantages, and subject to the regulations of this Act.

And it is hereby further enacted, that such persons so imported shall be entitled to all the advantages secured, and be liable to all the regulations imposed on the persons who are to form a permanent police under this Act.

Allotment of lands.

And be it further enacted, that the Governor, or person exercising the functions of Governor for the time being, is hereby empowered to allot to any officer, non-commissioned officer or any person serving in the said police, and who may have served in the said police to the satisfaction of the Governor, or the person exercising the functions of Governor for the time being, any quantity of land forming the said district or districts as to him shall seem expedient, and also a proportion of such land to a married woman and child or children, as to him shall seem necessary.

All free persons and Maroons may be employed or enrolled.

Proviso.

And be it enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, shall be empowered to employ or enrol free persons of every description, and Maroons as aforesaid, to form such police: and provided also, that the justices and vestry of the several parishes be empowered to send all such paupers as are able to perform work, and they shall be employed in some useful manner, in the cultivation of the soil or otherwise, for their own benefit, and be subject to the same discipline as other members of the establishment.

Religious instructors to be appointed by Governor.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby authorized and empowered to appoint a competent person to instruct the inhabitants of the said townships in religion and morality, and to perform such other religious duties as shall be deemed necessary; and that every exertion shall be used to promote marriage and morality in the said townships.

Penal gang to be formed in townships &c.

Proviso.

And be it further enacted, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to form a penal gang in each township, to be comprised of all convicts or other persons condemned to hard labour; and the said persons shall be employed in all useful occupations, for the benefit and advantage of the said townships: provided also, that when sufficient employment is not found in the said townships,

townships, the said penal gang shall be employed in repairing and making roads, or any other employment that may be necessary for the use and benefit of the said townships: and provided always, that the said penal gang shall be regulated by rules and regulations established for that purpose.

Proviso.

Cultivation of land, &c. for reception of persons engaged in townships.

And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct a certain quantity of land to be cultivated and planted in provisions, and to erect cheap and temporary buildings for the reception of persons engaged in the said townships: provided always, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct the said police to be employed in erecting all proper houses and other buildings requisite for the manufacture of all kinds of produce and other manufactures, and also such workhouses or houses of correction in the said townships, as he may deem necessary: provided always, that the Governor, or person exercising the functions of Governor, is hereby empowered to direct that all accounts of expenses properly certified by the commandant as being agreeably to contract, and the labour being duly performed, be submitted to the commissioners of public accounts, and be by them audited; and they are empowered and directed to draw on the receiver-general for the same, not exceeding 5,000*l.* for each county.

Proviso.

Proviso.

Wives and children of non-commissioned officers and privates and residents to be employed.

And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to direct that the wives and children of the non-commissioned officers and privates, or any other person residing in the said townships, be employed in the cultivation of the soil or any other manufacturing duties, and be rewarded for such labour as shall seem expedient.

Appointment of courts.

And be it further enacted, by the authority aforesaid, that for the better government of the district, it shall be lawful for the Governor, or person exercising the functions of Governor, to appoint courts for the trial and punishment of offences not amounting to felony, and to imprison for the same; provided always, that all murders and other felonies be tried in the Supreme Court or courts of assize.

Proviso.

Governor empowered to purchase lands.

And be it further enacted, by the authority aforesaid, that the Governor, or the person exercising the functions of Governor for the time being, is hereby empowered to purchase lands by and with the consent of the owner or owners thereof, at such a valuation as may be put on them by a jury, to be held in the manner practised on granting new jury roads: provided always, that all courts and officers are hereby empowered to aid and assist in fulfilling the intentions of such persons as are willing to give any lands for the object of this Act; and the grants of such lands by such person or persons, signified by simple conveyance from such person or persons to the Governor, or person exercising the functions of Governor for the time being, under this Act shall be recorded and be valid.

Proviso.

In case of martial law, police to be under command of the Governor, &c.

And be it further enacted, that in case of martial law being proclaimed, the said police and the several persons having command of the same, shall be under the immediate command of the Governor, or the person exercising the functions of Governor for the time being, to be employed on such service as he shall be pleased to direct, in the same manner as the militia of this Island, and shall also be subject to the same rules and articles of war, pains and penalties, as the officers, non-commissioned officers and privates of the several regiments of militia in this Island, under and by virtue of the said Acts, which now are, or at any time hereafter may in any manner relate to the militia, provided that no man engaged in the police shall be called upon to serve in the militia.

Commissioners, &c. exempted from stamp.

And be it further enacted, by the authority aforesaid, that no commissions, appointments or other proceedings under this Act shall be liable to any stamp duty.

C. 28 of 2 Will. 4 repealed.

And be it further enacted, by the authority aforesaid, that the Act of 2d Will. IV., c. 28, be repealed, and it is hereby repealed accordingly; and that this Act shall be in full force from and immediately after the passing thereof.

— No. 5. —

Jamaica ss.

No. 5.

AN ACT in aid of the 4 Will. IV, c. 30, intituled, "An Act to colonize the Interior Lands of this Island, and form a permanent Police:"—Passed 27 June 1834.

Preamble.

WHEREAS the circumstances of the Island require that an efficient police be immediately organized:

Governor empowered to form police, with salaries, &c. to inspector.

And whereas "An Act to Colonize the Interior Parts of this Island, and form a permanent Police," has been found insufficient for the purposes intended; be it therefore enacted by the Governor, Council and Assembly of this Island, and it is hereby enacted, by the authority of the same, that the Governor, or the person administering the government for the time being, be and he is hereby empowered to form a police, with an establishment as follows: an inspector-general, salary, house-rent and stationery inclusive, per annum, 1,200*l.*; three county inspectors, at 500*l.* a year each, and forage for two horses to each, 76*l.* 0*s.* 10*d.*

Salary of county inspectors.

per

per annum each horse; provided, that in the event of a stipendiary magistrate being appointed he shall only receive the sum of 250*l.* per annum, besides forage for two horses, at the rate of 76*l.* 0*s.* 10*d.* each horse; 21 sub-inspectors, at 250*l.* a year each; rations for ditto, at 8*s.* 1*d.* per week; 100 serjeants, at 2*s.* 6*d.* each per day, and 8*s.* 1*d.* per week for rations; clothing for ditto, at 70*s.* each; two Oznaburg jackets and two pairs of trousers for each, each year, at 33*s.* 4*d.* each; 1,000 infantry, at 1*s.* 8*d.* per day, and 8*s.* 1*d.* rations per week; clothing for ditto, at 60*s.*; two Oznaburg jackets and two pairs trousers to each per year, 33*s.* 4*d.* each; medical attendance, including medicines, not exceeding 20*s.* each per annum.

Proviso.

Salary of sub-inspectors.

And be it enacted, that the Governor, or person exercising the functions of Governor for the time being, be authorized to draw on the receiver-general for such sum or sums as may be necessary for procuring barracks, barrack furniture, wood and water for the use of the said police, not exceeding the sum of 3,500*l.*

Governor may draw on the receiver-general sums necessary for procuring barracks, &c.

And be it further enacted, that the Governor, or person exercising the functions of Governor, be authorized and empowered to frame and establish such rules and regulations as to him shall seem proper for giving effect to the purposes of this Act, and for securing the discipline of the police; provided, that under such rules and regulations no corporal punishment shall be inflicted, nor shall any sentence extend to death, transportation or imprisonment for any period exceeding one month.

Governor to frame rules and regulations for their discipline.

Proviso.

And be it further enacted, that every serjeant or private policeman who, in the execution of his duty, shall lose a limb or an eye, or be otherwise wounded, so as to be rendered incapable of serving as a serjeant or private of police, shall, upon producing a certificate from the inspector-general that he is rendered incapable to serve, be allowed an annuity of 50*l.* currency, to be paid by the receiver-general so long as such person shall continue to reside in this Island, and shall remain unable to do duty in the police; and if any serjeant or private shall be killed in the execution of his duty, and shall leave a widow, or child or children lawfully begotten, his widow shall be entitled to receive, during her widowhood, at the rate of 40*l.* per annum; and in case of her marriage or death, the said annuity shall go to such child or children until the youngest shall attain the age of 14 years, such sum or sums to be paid by the receiver-general into the hands of the custos or senior magistrate of the parish in which such widow or children may be resident, on the production of a like certificate from the said inspector-general, to be by him paid to the said widow; or in case of the marriage or death of the said widow, to be appropriated for the support and maintenance of the said child or children.

Provision for any policeman wounded, their widows and children.

And be it enacted, that the receiver-general do and he is hereby required, out of any monies in his hands belonging to the public, to pay to the order of his Excellency the Governor, or to the person exercising the functions of Governor for the time being, such sum and sums of money as may be necessary for the purposes of this Act; provided, that the receiver-general do render and give to the commissioners of public accounts quarterly an account or statement of the several sums of money paid by him under the order of the Governor, or person exercising the functions of Governor, drawn on him in pursuance of this Act.

Receiver-general directed to pay public monies for the purposes of this Act to the Governor.

Proviso.

And be it enacted, that the Governor, or person exercising the functions of Governor, shall be and he is hereby empowered to send expresses on any emergency or alarm, or other occasion, to any part of the Island, and to pay the persons employed in carrying such expresses at a rate not exceeding the rate of pay which is authorized by the 6 Geo. 4, c. 14, for non-commissioned officers and privates; and such sums shall be paid by the receiver-general to the order of the Governor, or person exercising the functions of Governor for the time being.

Governor may send expresses on emergency.

Pay secured to persons carrying such expresses, at the rate fixed by 6 Geo. 4, c. 14.

And be it enacted, that no appointment, commission or any other proceedings under this Act shall be subject to any stamp duty.

All proceedings exempt from stamp duty.

And whereas, under the 10th section of the 4 Will. IV. c. 30, intituled, "An Act to colonize the Interior Lands of this Island, and form a permanent Police," the Governor, or person exercising the functions of Governor, is empowered to indent all persons enlisting into the said police for a term not less than five years: and whereas doubts may arise as to the power of the Governor, or person exercising the functions of Governor, to enlist, under and by virtue of this Act, persons as policemen for a less term than five years; be it therefore enacted, by the authority aforesaid, that the Governor, or person exercising the functions of Governor, shall and he is hereby authorized and empowered to enlist or indent men for the said police for any period less than five years.

Discretionary power to Governor on enlisting men.

And be it enacted, that this Act shall be in force until the 31st day of December 1835, and no longer.

Duration of Act.

— No. 6. —

Jamaica ss.

No. 6.

AN ACT for making further Provision for the Building, Repairing, and Regulating of Gaols, Houses of Correction, Hospitals and Asylums:—Passed 4 July 1834.

Preamble.

WHEREAS the laws now existing relative to building, repairing and regulating of gaols and houses of correction, and hospitals and asylums are ineffective:

And whereas it is expedient that such measures should be adopted and such arrangements made in prisons and houses of correction, and hospitals and asylums, as shall not only provide for the safe custody, but shall also tend more effectually to preserve the health and to improve the morals of the prisoners confined, as well as inmates therein, and shall insure the proper measure of punishment to convicted offenders:

And whereas due classification, separation, superintendence, regular labour and employment, and religious and moral instruction, are essential to the discipline of a prison, hospital or asylum, and to the reformation of offenders; be it therefore enacted, by the Governor, Council, and Assembly, and it is hereby enacted by the authority of the same, that from and after the commencement of this Act, the gaol of the county of Middlesex, and the gaol of the county of Surrey, and the gaol of the county of Cornwall, shall without delay be repaired, enlarged and altered or improved for the purposes of this Act, in such manner as shall be determined upon by not less than three of the members of Assembly of each county respectively.

The three county gaols, after commencement of this Act, to be improved, &c., as shall be determined by three members of Assembly of each county.

Gaol and house of correction required in every parish; expense for building, &c. to be paid by a tax on each parish.

And be it further enacted, that there shall be one sufficient gaol in each of the several parishes in this Island, and one sufficient house of correction for the purposes of this Act, and which said gaol and house of correction may be built together or separately, and the expense of building and maintaining such gaol and house of correction shall be paid by the inhabitants of each parish respectively, and the mayor, aldermen, and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, are hereby authorized and required to raise by a tax a sum of money sufficient for such purpose, and forthwith to carry the same into effect, having a due regard to the separate compartments necessary in the accommodation and classification of prisoners.

Rules to be observed when confined in such places.

And whereas it is fit and proper to secure an uniformity of practice in the management of the several prisons and houses of corrections, and hospitals and asylums throughout the Island; be it therefore further enacted, that the following rules and regulations shall be observed and carried into effect in every gaol or house of correction, or hospital or asylum, so far as they can be applied to the particular discipline or class of persons confined in such places:

Rule 1.

1. The keeper of every such county gaol or house of correction, or hospital or asylum, shall reside therein, and shall occupy such rooms or apartments as the magistrates shall direct, and shall not be concerned, directly or indirectly, in any other occupation or trade; no keeper or officer of a prison or house of correction, or hospital or asylum, or any person employed in any of the said places, shall sell, nor shall any person in trust for him, her or them, or employed by him, her or them, sell or have any benefit or advantage from the hiring of servants, or the sale of any article to any prisoner or inmate, nor shall he or she, directly or indirectly, have any interest in any contract or agreement for the supply of the prison or house of correction, or hospital or asylum, or in the hiring of servants for such institutions.

Rule 2.

2. A matron shall be appointed in every prison, or hospital or asylum, in which female prisoners or inmates shall be confined, who shall reside in the prison or house of correction, or hospital or asylum, and it shall be the duty of the matron constantly to superintend the female prisoners, and in hospitals and asylums all inmates therein.

Rule 3.

3. The keeper shall, as far as may be practicable, visit every ward, and see every prisoner, and inspect every cell once at least in every 24 hours; and when the keeper or any other officer, being a man, shall visit the female prisoners, he shall be accompanied by the matron, or, in case of her unavoidable absence, by some female officer or other female person of the prison.

Rule 4.

4. The keeper of any of the aforesaid establishments shall keep a journal, in which he shall insert his name daily, and state the hours at which such keeper shall visit and inspect the cells of the gaols, and in which all other officers of the gaol or asylum shall daily insert their names, and record all punishments inflicted by his authority or by that of the visiting justices, and the day when such punishments shall have taken place, and all other occurrences of importance in the prison, in such manner as shall be directed by the regulations to be made under this Act, which journal shall be laid before the justices of every quarter or special sessions, and signed by the chairman in proof of the same having been there produced, except in the parish of Kingston, where the said journal shall be produced to the common council, to be signed by the mayor or alderman presiding for the same purpose, and at all times when the visiting justices shall visit any of the said institutions.

5. Due

5. Due provision shall be made in every prison or house of correction for the enforcement of hard labour in the cases of such prisoners as may be sentenced thereto, and for the employment of other prisoners; the means of hard labour shall be provided, and the materials, tread-wheels, or instruments requisite for the employment of prisoners shall be erected or purchased under such regulations as may be made for that purpose by the common council of the parish of Kingston, and by the justices and vestries of the several other parishes in the Island. Rule 5.

6. The male and female prisoners, or inmates of hospitals or asylums, shall be confined in separate buildings or parts of the prison, house of correction, hospital or asylum, so as to prevent them from seeing, conversing or holding any intercourse with each other, and the prisoners or inmates of each sex shall be divided into distinct classes, care being taken that the prisoners or inmates of the following classes do not intermix with each other. In gaols, hospitals and asylums; first, debtors and persons confined for contempt of court on civil process; second, prisoners convicted of felony; third, prisoners convicted of misdemeanors; fourth, prisoners committed on charge or suspicion of felony; fifth, prisoners committed on charge or suspicion of misdemeanors or for want of sureties. In hospitals and asylums the males shall not mix with the females. In houses of correction; first, prisoners convicted of felony; second, prisoners convicted of misdemeanors; third, prisoners committed on charge or suspicion of felony; fourth, prisoners committed on charge or suspicion of misdemeanors; fifth, vagrants; such prisoners as are intended to be examined as witnesses in behalf of the Crown in any prosecution, shall also be kept separate in all gaols or houses of correction: provided always, that nothing herein contained shall be construed to extend to prevent the justices from authorizing, at their discretion, the employment of any prisoner in the performance of any menial office within the prison; and provided also, that if the keeper shall at any time deem it improper or inexpedient for a prisoner to associate with the other prisoners of the class to which he or she may belong, it shall be lawful for him to confine such prisoner with any other class or description of prisoners, or in any other part of the prison, until he can receive the directions of a visiting justice therein, to whom he shall apply with as little delay as possible, and who in every such instance shall ascertain whether the reasons assigned by the keeper warrant such deviation from the established rules, and shall give such orders in writing as he shall think fit under the circumstances of the particular case. Rule 6. Proviso. Proviso.

7. Female prisoners shall in all cases be attended by females. Rule 7.

8. Every prisoner sentenced to hard labour shall, unless prevented by sickness, be employed so many hours in every day, not exceeding 10 hours, exclusive of the time allowed for meals, as shall be directed by the rules and regulations to be made under this Act (Sundays and holidays usually kept in this Island excepted). Rule 8.

9. Prayers, to be selected from the Liturgy of the Church of England by the chaplain, shall be read every Sunday by the chaplain, the curate, or by some other person duly qualified, as by the rules and regulations shall be directed, and portions of the Scriptures shall be read to the prisoners or inmates when assembled for instruction by the chaplain or by such person as he may appoint or authorize, but that no prisoner shall be required or obliged to attend such prayers unless he or she be a member of the Church of England. Rule 9.

10. When the keeper of any prison, hospital or asylum, shall be under the necessity from misbehaviour of putting a prisoner or inmate in irons or solitary confinement, the particulars of the case shall be forthwith given to one of the visiting justices, who shall hear and determine upon it. Rule 10.

11. Every prisoner or inmate of any hospital or asylum maintained at the expense of the Island or any parish, shall be allowed a sufficient quantity of plain and wholesome food, to be regulated by the justices and vestries, except in Kingston, where the same shall be regulated by the common council, regard being had, so far as may relate to convicted prisoners, to the nature of the labour required from or performed by such prisoner, so that the allowance of food may be duly apportioned thereto. Prisoners or inmates under the care of the surgeon or physician shall be allowed such diet as he or they may direct in writing; care shall be taken that all provisions supplied to the prisoners or inmates shall be of proper quality and weight. Rule 11.

12. Prisoners who shall not receive any allowance from the Island, whether confined for debt, or before trial for any supposed crime or offence, shall be allowed to procure for themselves, and to receive at proper hours, any food, bedding, clothing or other necessaries, subject to a strict examination, and under such limitations and restrictions to be prescribed by the regulations to be made in manner directed by this Act, as may be reasonable and expedient to prevent extravagance and luxury within the walls of the prison; all articles of clothing and bedding shall be examined, in order that it may be ascertained that such articles are not likely to communicate filth or infection, or facilitate escape. Rule 12.

13. No person who is confined under the sentence of any court, nor any prisoners confined in pursuance of any conviction before a justice, shall receive any food, clothing or necessaries, other than the gaol allowance, except under such regulations and restrictions as to the justices in special sessions assembled, and to the common council of Kingston, may appear expedient, with reference to the several classes of prisoners, or under special circumstances, to be judged of by one or more of the visiting justices. Rule 13.

Rule 14. 14. Due provision shall be made for the admission, at proper times and under proper restrictions, of persons with whom prisoners committed for trial may desire to communicate; and such rules and regulations shall be made by the justices in special sessions assembled, in every parish, (except Kingston, where the same shall be done by the common council,) for the admission of the friends of convicted prisoners or inmates of hospitals or asylums, as to such justices or common council may seem expedient; and the justices and common council shall also impose restrictions upon the communications and correspondence of all such prisoners or inmates with their friends, either within or without the walls of the prison or hospital or asylum, as they may judge necessary for the maintenance of good order in such prison or hospital or asylum: every prisoner or inmate shall be provided with bedding.

Rule 15. 15. The wards and ceilings of the wards, cells, rooms and passages used by the prisoners throughout every prison, house of correction, hospital or asylum, shall be cleaned or scraped and lime-washed, at least once every six months; the rooms, passages and sleeping-cells shall be washed or cleaned every day, or oftener when requisite; and convenient places for the prisoners or inmates to wash themselves shall be provided.

Rule 16. 16. All prisoners or inmates shall be allowed as much air and exercise as may be deemed proper for the preservation of their health.

Rule 17. 17. No spirituous liquors of any kind shall be sold in any prison or house of correction or hospital or asylum, or admitted for the use of any of the prisoners or inmates therein, unless by an order from the surgeons or physician, in writing, specifying the quantity, and for whose use. No wine, malt or other fermented liquor shall be admitted for the use of any prisoners, except in such quantities, in such manner, and at such times as shall be allowed by the rules hereafter to be made in pursuance of this Act; and any person who shall be guilty of contravening this rule shall be put in solitary confinement not exceeding one month, or sent to the house of correction for a period not exceeding three months.

Rule 18. 18. No gaming shall be permitted in any prison or house of correction or hospital or asylum; and the keeper shall seize and destroy all dice, cards or instruments of gaming.

Rule 19. 19. No money, under the name of garnish, or whatsoever other term, shall be taken from any prisoner or inmate, on his or her entrance into the prison or hospital or asylum, under any pretence whatsoever.

Rule 20. 20. Upon the death of a prisoner or inmate, notice thereof shall be given by the keeper forthwith to one of the visiting justices, as well as to the coroner of the parish.

Common council of Kingston, and justices of the peace in each parish, may make further rules, &c., as may be deemed expedient.

Proviso.

And be it further enacted, that it shall be lawful for the common council of Kingston, and for five justices of the peace in quarter or special sessions assembled, in the several other parishes, to make such further and additional rules for the government of such prisons, houses of correction, hospitals and asylums respectively, and for the duties to be performed by the officers of the same, as to them may seem expedient: provided always, that all such rules and regulations shall be consistent with and conformable to the rules and regulations in this Act contained; and the common council of Kingston, and the justices in the several other parishes in quarter or special sessions assembled, shall and they are hereby required, from time to time, to cause copies of so much of the rules of each prison, house of correction, hospital or asylum, as relates to the treatment and conduct of prisoners or inmates confined therein, to be printed in legible characters, and to be fixed up in conspicuous parts of every prison, house of correction, hospital or asylum, so that every prisoner or inmate may be enabled to have access thereto; and all rules and regulations made and approved pursuant to the directions of this Act, shall be binding upon the keepers of prisons and houses of correction and hospitals and asylums, and all other persons.

Copies of rules to be printed, and fixed in conspicuous parts of houses of correction, &c., for prisoners', &c. perusal and access.

Gaolers, &c. to report, in writing, state and condition of every gaol, &c, and number of prisoners or inmates confined, to the different courts in this Island, while sitting, and to the justices in quarter or special sessions in other parishes, for the purpose of ascertaining improvement, &c. required by this Act.

And be it further enacted, that the gaoler and keeper of every gaol and house of correction, or hospital or asylum, shall make a report, in writing, of the actual state and condition of every such gaol and house of correction, hospital and asylum, and of the number and description of prisoners or inmates confined therein; to wit, in Spanish Town, to the grand court at every sitting thereof, and in Kingston and in Montego Bay, to the assize courts respectively, at every sitting thereof, and to the justices in quarter or special sessions assembled in the several other parishes, at each of their respective sittings, and shall, at every such grand or assize court or quarter or special sessions, attend and give answer, upon oath, to all such inquiries as shall be made by the judges and justices with respect to the state and condition of every such gaol and house of correction and hospital and asylum, and of the prisoners and inmates confined therein, and with respect to any other matters and things relating to the said goal or house of correction or hospital or asylum respecting which such justices shall deem it necessary to make inquiry, for the purpose of proceeding and continuing to carry this Act into execution, and of ascertaining how far every such gaol and house of correction or hospital or asylum is capable of affording the means of the classification or improvement required by this Act.

Mayor of Kingston, and the custodes of parishes, to transmit Governor a copy of rules, &c. in force for the government of prisons.

And be it further enacted, that the mayor of the city of Kingston, and the custodes of the several other parishes of the Island, shall, as soon as may be convenient, transmit to the Governor a copy of all such rules and regulations as shall be in force for the government of every prison within their respective parishes.

And

And be it further enacted, that the mayor, aldermen and common councilmen of the city of Kingston, and the custodes and justices of the several other parishes in quarter or special sessions assembled, shall and they are hereby required to nominate two or more justices, who shall consent thereto, to be visitors of each gaol and house of correction, and hospital and asylum within their jurisdiction, or to arrange, if they shall see fit, among themselves to do such duties in turn, and one or more of the visiting justices so appointed, or having consented to do such duty, shall personally visit and inspect each prison and house of correction, or hospital or asylum, once every day, if it should be practicable and expedient, and shall examine into the state of the buildings, so as to form a judgment as to the repairs, additions or alterations which may appear necessary; strict regard being had to the classification, inspection, instruction, employment or hard labour required by this Act; and shall further examine into the behaviour and conduct of the respective officers, and the treatment, behaviour and condition of the prisoners and inmates, the means of setting them to work, and of all abuses within the prison and house of correction, or hospital and asylum; and in matters of pressing necessity, and within the powers of their commission, as justices, shall take cognizance thereof and proceed to regulate and redress the same.

Justices required to b nominated visitors of gaols, &c., for the examination of state of buildings, the conduct of prisoners, &c., and their treatment, &c. &c.

Provided always, and be it enacted, that it shall be lawful for any justice of the peace, of his own free will and pleasure, without being appointed a visitor, to enter into and examine every prison, house of correction, hospital or asylum of such parish for which he is a justice, at such time or times, or as often as he shall see fit; and if he shall discover any abuse or abuses therein, he is hereby required to report them in writing at the next meeting of the common council of Kingston, if he be a member thereof, or to the quarter or special sessions of the several other parishes respectively; and the common council of Kingston, or the justices and vestry of the several other parishes, are hereby required to adopt the most effectual measures for inquiring into and rectifying such abuse or abuses as soon as the nature of the circumstances will allow them.

Proviso: Justices of the peace may visit prison-house, &c., without being appointed, and report abuses, &c. as may be discovered.

And be it further enacted, that it shall and may be lawful for the mayor, or aldermen and common councilmen of the parish of Kingston, and the justices of the several other parishes, and they are hereby required and empowered to nominate such keepers, matrons, superintendents, task-masters and other officers as to them may seem expedient for every prison or house of correction, or hospital or asylum within their jurisdiction to which this Act shall extend, except the keepers and officers of the three county gaols, and to remove as occasion may require all officers so by them nominated and appointed, taking especial care that no inefficient officer or officers shall be continued in employment.

Mayor, &c. of Kingston, and the justices of other parishes, empowered to nominate competent persons to govern prisons, &c.

And be it further enacted, that the mayor, aldermen and common councilmen of the parish of Kingston, and the justices of several other parishes, shall and they are hereby empowered and required from time to time to appoint a surgeon to each of the prisons and houses of correction, and hospital and asylum within their jurisdiction, and which are maintained at the expense of the parishes respectively; and every physician or surgeon of a county gaol and public hospital shall and is hereby required to visit every prison or hospital to which he shall be appointed, once at least every morning, and oftener as may be necessary; and the surgeon of every prison, house of correction, hospital or asylum in every other parish, as often as the justices and vestries of the several parishes shall direct, and to see every prisoner confined therein, whether criminal, debtor or inmate, and to report to the mayor, aldermen and common councilmen of Kingston every three months, and to the quarter or special sessions in the several other parishes, the condition of the prison and house of correction, hospital and asylum, and the state of the health of the prisoners and inmates under his care; and he shall further keep a journal, in which he shall enter the date of every attendance in the performance of his duty, with any observations which may occur to him in the execution thereof, and such journal shall be kept in the prison, hospital or asylum, but shall regularly be laid before the justices for their inspection at the common council every three months, or at the regular quarter or special sessions of every other parish every three months, and shall be signed by the chairman of the common council or quarter or special sessions in proof of their having been there produced.

Mayor, &c. of Kingston, and justices of other parishes, empowered to appoint a surgeon to each prison, &c.&c., and he is required to visit once every morning, and oftener, if need, and to report every three months, state and health of prisoners, &c.

Journal to be kept by surgeon to be laid before justices, &c. for inspection.

And whereas persons convicted of offences are frequently sentenced to imprisonment without being sentenced to hard labour, be it therefore enacted, that it may be lawful for two or more visiting justices of any prison to order that all such persons confined in such prison in pursuance of any sentence or conviction, except such prisoners as shall maintain themselves, shall be set to some work or labour not severe, and where there shall be no work or labour to which to apply the said prisoners, they shall be made to walk during portions of the day, in manner the common council of Kingston, and the justices of the several other parishes in quarter or special sessions, shall determine.

Visiting justices to order prisoners (except such as maintain themselves) to do some work, &c. &c.

And be it further enacted, that if any person, in contravention of the existing rules, shall carry or bring, or attempt or endeavour to carry or to bring into any prison or house of correction, or hospital or asylum, public or parochial, any spirituous or fermented liquor, it shall be lawful for the gaoler, keeper or turnkey, or person in charge, or any other of the assistants to the said gaoler or keeper, turnkey or person in charge of the door, to apprehend or cause to be apprehended such offender, and to carry him or her before two justices of the peace, who are hereby empowered to hear and determine such offence in a summary way; and if they shall lawfully convict such person of such offence, they shall forthwith commit such offender to the common gaol or house of correction, there to be kept in custody for any time not exceeding three months, without bail or mainprize, unless such offender shall immediately

Persons bringing into any prison-house &c. any spirited or fermented liquor, gaoler, &c. in charge to apprehend offender, and carried before two justices of the peace, determinable as under this Act required.

immediately pay down such sum of money, not exceeding 20 *l.*, as the justices shall impose upon such offender, to be paid one moiety to the informer, and the other moiety in support of such prison or house of correction, or hospital or asylum; and if such justice shall receive information upon oath that any spirit or fermented liquor is unlawfully kept or disposed of in any prison, public hospital, or parochial asylum, he may enter and search, or issue his warrant to enter and search for such liquor, and in case it shall be found, it shall be lawful for the person so finding to seize the same, and dispose of it as the justices shall direct; and if any gaoler or keeper of any prison, house of correction, public hospital or parochial asylum, shall sell, use, lend or give away, or knowingly permit or suffer to be sold, used, lent or given away in such prison, house of correction, hospital or asylum, or brought into the same, any spirituous or fermented liquor in contravention of the existing rules of such prison, he shall for every such offence, over and above every other punishment by this Act enacted, forfeit and lose the sum of 20 *l.*

Keeper of prison, &c. to hear all complaints contrary to the rules of prison, &c. &c. upon one prisoner upon another.

And be it further enacted, that the keeper of the prison, hospital or asylum shall have power to hear all complaints touching any of the following offences, that is to say, disobedience of any of the rules of the prison, hospital or asylum, assaults by one person confined in such prison, hospital or asylum upon another, when no dangerous wound or bruise is given, profane cursing and swearing, any indecent behaviour, and any irreverent behaviour at prayers, or when the minister is performing service, all of which are declared to be offences by this Act, if committed by any description of prisoners, absence from prayers, or when the minister is performing service, by members of the Church of England; idleness or negligence in work, or wilful mismanagement of it, which are also declared to be offences by this Act, if committed by any prisoner under charge or conviction of any crime, and the said keeper may examine any person touching such offence, and may determine thereupon, and may punish all such offences by ordering any offender to close confinement, in the refractory or solitary cells, and by keeping such offenders upon bread and water only, for any term not exceeding six days; provided the visiting justice shall confirm such decision, or for such time within the said six days as the said justice shall by a written order determine.

Prison-keeper may examinate into complaint, and punish offenders by close confinement, &c. &c. for six days.

Proviso: Gaoler's decision to be confirmed by visiting justice.

And whereas the public hospital of Kingston was established with the humane intention of relieving and assisting transient poor persons, and the benefits of the said institution were afterwards extended to seamen in the merchant service: and whereas many persons of bad or doubtful character, as well as persons of idle and dissolute habits, and also other persons afflicted with diseases, and some of such diseases incurable, have been from time to time for many years past landed in this Island from foreign and British vessels, causing great inconvenience and expense to the public and parish institutions: and whereas many abuses exist in the said hospital and poorhouse, in consequence of improper persons being received into it, and many of the inmates who are of idle and drunken habits being allowed to remain there when they ought to be usefully employed elsewhere: and whereas there has been and is great irregularity in the general economy and management of the affairs of the said hospital and poorhouse, by which a great increase of public expenditure has been incurred: for the remedy whereof, be it enacted, that when any master of a vessel shall discharge or leave any seaman or other person in the Island who shall become an inmate in the public hospital, and a burthen on the public, the master or consignee of the vessel from which the seaman or other person shall have landed, shall pay to the treasurer of the public hospital 2*s.* 1*d.* for every day such seaman or other person shall be in the public hospital, and also all other expenses that may be incurred for obtaining a passage for such seaman or other person to some other island in the West Indies, or to Great Britain, or to the continent of America, as may be found most advisable, and with the consent of such seaman or other person, and such expense, charge or charges so incurred shall be recovered in a summary manner before any two justices of the peace: provided always, that this provision shall not affect the masters of British vessels whose voyage terminates in this Island, in so far as relates to seamen and other persons who have shipped in this Island with the intention of returning to it.

When any master of a vessel shall discharge or leave any seaman, &c. in the Island, who shall be a burthen on the public, master or consignee shall pay 2*s.* 6*d.* per day, and other expenses incurred.

How recoverable.

Proviso.

Whereas formerly it was found necessary to establish a house of correction in the parish of Kingston, in consequence of many patients having been discharged from the public hospital, and such patients having contracted drunken and idle habits, and the number of persons of that description has increased to a great degree; for removing whereof, be it further enacted, that it shall be lawful to transfer all inmates from the public hospital to the house of correction in Kingston who are disorderly, or considered by the physician and surgeon as well and able to work, and there to be kept to such hard labour and for such time as any two of the sitting magistrates of Kingston may see fit and proper, not exceeding the punishment legally given to vagrants.

Considered lawful to transfer inmates from public hospital to house of correction, and there to be kept to hard labour, as directed by visiting justices, &c. Punishment not to exceed that of vagrants.

And whereas the expense of supporting the said hospital and poorhouse has been greatly increased by persons having been sent by magistrates of Kingston to receive from the said hospital medical treatment only in consequence of there being no dispensary in any of the parishes in the Island, with medicines and surgical aid, for the use of the parishioners: And whereas the number of poor persons who are unable to provide themselves with the necessaries of life and medical assistance is increasing throughout the Island, and unless some measures be taken to give them the earliest medical assistance, the evil must greatly increase; be it therefore enacted, that it shall be lawful for the mayor, aldermen, and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, to establish, under proper rules and regulations, a dispensary in each parish respectively, with such

Mayor, &c. of Kingston, and justices, &c. of other parishes, to establish, under proper regulations, a dispensary, with all such medicines, &c. required for the poor of each parish.

such medicines and instruments, and such superintendence as will ensure a proper distribution of their medical and surgical assistance among the poor persons of the respective parishes, who shall receive a ticket for that purpose in the manner the mayor, aldermen and common councilmen of the parish of Kingston, and the justices and vestries of the several other parishes of the Island shall respectively direct, and the mayor, aldermen and common-councilmen of the parish of Kingston, and the justices and vestries of the several other parishes, are hereby authorized to raise by a tax a sum of money on the inhabitants of the respective parishes, sufficient to defray the expense which should be incurred by such establishment.

Mayor, &c. of Kingston, and justices of other parishes, authorized to raise a tax to defray expenses incurred by such establishment.

And whereas the justices and vestry of the several parishes throughout the Island have been hitherto required by law to provide for unhappy objects, disabled from labour by sickness, age or otherwise, and such persons becoming dangerous, burthensome, and a nuisance to the several towns and parishes by being at large, were usually sent to a compartment in the house of correction to be under the superintendence of the keeper of that institution, and it is expedient to continue the same accommodation; be it enacted, by the authority aforesaid, that the mayor, aldermen and common-councilmen of the parish of Kingston, and justices and vestrymen of the several other parishes in this Island, shall and they are hereby empowered to lay a tax upon the several parishes, in the same manner as the parochial taxes are usually laid, for the purpose of raising such a sum of money as shall be sufficient to provide accommodation, clothing, medical care and attendance in an asylum in some convenient place in each of the several parishes in this Island for such unhappy objects as aforesaid, and the mayor, aldermen and common-councilmen of the parish of Kingston, and the magistrates and vestrymen of the several other parishes in the Island are hereby empowered and required to make from time to time all such humane and statutory regulations for the purposes aforesaid as to them shall seem necessary and expedient; and they are further required and empowered, upon application being made to them or either of them, or upon view of the necessity of the case, to order all such objects as aforesaid to be removed and conveyed to the asylum of the parish respectively in which any of them was accustomed to live or was domiciled.

Mayor, &c. of Kingston, and justices of other parishes, empowered to lay a tax upon all the parishes in this Island, for the purpose of raising such a sum as shall be sufficient to carry into effect the objects of this Act.

And be it further enacted, that it shall be lawful for the mayor, aldermen and common councilmen of the parish of Kingston, and the magistrates and vestrymen of the several other parishes in the Island, and they are hereby required forthwith to erect one tread-wheel in the house of correction in their respective parishes, and to use and apply such tread-wheel in the purposes of hard labour.

Tread-wheel to be erected in house of correction in the respective parishes, to be used in the purpose of hard labour.

And be it further enacted, that any keeper or assistant, or person in the service of any of the county gaols who shall be convicted of any offence under this Act, shall be immediately discharged; and if the provost-marshal, on such conviction being made known to him, shall neglect to discharge the person so convicted, he shall be liable to pay a fine not exceeding 100 *l.*, to be recovered in a summary manner before two justices of the peace.

Keeper of gaols convicted of any offence under this Act, to be discharged. Should provost-marshal neglect to discharge the keeper convicted, he shall pay a fine of 100 *l.*

And for the more easy and speedy conviction of offenders against this Act, be it further enacted that the justices before whom any person shall be convicted of any offence against this Act shall and may cause the conviction to be drawn up in the following form of words, or in any form of words to the same effect, as the case shall happen; *videlicet*,

Persons convicted of any offence under this Act, justices shall cause conviction to be drawn up in the following words.

"Be it remembered that on the in the year of our Lord *A. B.* is convicted before us, *C. D.*, two of His Majesty's special justices of the peace for the parish of for that the said *A. B.* (specifying the offence, and the time and place when and where the same was committed, as the case shall be), and the said *A. B.* is for this said offence adjudged by us the said justices to forfeit and pay the sum of or to be imprisoned in for the space of (as the case shall be). Given under our hands and seals the day and year first above written."

Form of conviction.

Provided always, and be it further enacted, that if any person shall think himself or herself aggrieved by any conviction of any justices in pursuance of this Act, such person may appeal to the justices of the peace at any quarter or special sessions of the parish, precinct or district wherein such conviction shall have taken place within four calendar months after the cause of such complaint shall have arisen, such appellant first giving or causing to be given 10 clear days' notice at least in writing of his intention to bring such appeal, and of the matter thereof, to the justices before whom the conviction shall have been had, and to the clerk of the peace of the parish, precinct or district in which such conviction shall have been had, and within two days after such notice entering into recognizance before some justice for such parish, precinct or district with two sufficient sureties conditioned to try such appeal, and abide the order of and to pay such costs as shall be awarded by the justices at such sessions; and the justices at such sessions, upon due proof of such notice being given as aforesaid, and of the entering such recognizance, shall hear and determine the matter of such appeal in a summary way, and award such costs to the parties appealing or appealed against as they the said justices shall think proper, and the determination of such session shall be final, binding and conclusive to all intents and purposes.

Proviso: Persons who shall think themselves aggrieved by any conviction of justices, may, within four months after cause of complaint, appeal to the justices of the peace at any quarter sessions, &c.

Ten days' notice to be given by appellant, and to enter into recognizance with sufficient sureties.

To abide order, and pay such costs as shall be awarded.

Determination of such session binding and conclusive.

And be it further enacted, that no order made touching any of the matters in this Act contained, nor any conviction of any offender against this Act, shall be quashed for want of form, or be removed or removeable by *certiorari*, or by any other writ or process whatsoever, in supreme court or either of the courts of assize; and that where any distress shall be made for any

No order made under this Act, nor persons convicted, shall be quashed for want of form, or removed unto supreme or courts of assize.

When a distress shall be made for any fine or penalty under this Act, not to be considered unlawful, nor person executing the same a trespasser, on account of defect or want of form, &c.

any fine, penalty or sum of money to be levied by virtue of this Act, the distress itself shall not be deemed to be unlawful, nor the party making the same be deemed a traspasser on account of any defect or want of form in the summons, conviction, warrant of distress or other proceedings relating thereto, nor shall such party be deemed a trespasser on account of any irregularity which shall be afterwards done by the party distraining; the person aggrieved by such irregularity shall and may recover full satisfaction for the special damage (if any) in an action upon the case; but no plaintiff shall recover in any action for such irregularity as aforesaid if tender of sufficient amends shall have been made by or on behalf of the party distraining before such action brought.

Any suit or action brought against persons for anything under this Act, may plead the general issue.

Costs regulated when a verdict shall pass for the defendant, and when given for plaintiff.

And be it further enacted, that if any suit or action shall be prosecuted against any person for anything done in pursuance of this Act, such person may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon, and that the same was done by authority of this Act; and if a verdict shall pass for the defendant, or if the plaintiff shall become nonsuit, or discontinue his or her action after issue joined, or if upon demurrer or otherwise judgment shall be given against plaintiff, the defendant shall recover double costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs out of purse against the defendant unless the judge before whom the trial shall be shall certify his approbation of the action, and of the verdict obtained thereupon.

When criminal prisoner or inmate shall be guilty of repeated offence against the rules of this Act, gaoler empowered to punish them, and report the same to the visiting justices, who shall determine the offence, and order such punishment as under this Act requires.

And be it further enacted, that in case any criminal prisoner or inmate shall be guilty of any repeated offence against the rules of the prison, house of correction, or hospital or asylum, or shall be guilty of any greater offence than the gaoler or keeper is by this Act empowered to punish, the said gaoler or keeper shall forthwith report the same to the visiting justices, or one of them for the time being, and any one such justice or any other justice of the parish to which such prison, house of correction, hospital or asylum belongs, shall have power to inquire upon oath, and to determine concerning any such matter so reported to him or them, and to order the offender to be punished by close confinement for any term not exceeding one month, or by personal correction, as the case of prisoners convicted of felony or sentenced to hard labour.

Persons carrying into any prison-house, &c. any mask, disguise, &c. &c., to facilitate the escape of prisoners, whether an escape be made or not, shall be guilty of felony; and being convicted, imprisoned for 12 months, or hard labour in house of correction for six months.

And be it further enacted, that if any person shall convey or cause to be conveyed into any prison, house of correction, hospital or asylum to which this Act shall extend any mask, vizor or other disguise, or any instrument or arms proper to facilitate the escape of any prisoners or inmates, and the same shall deliver or cause to be delivered to any prisoner or inmate in such prison, or to any other person there for the use of any such prisoner or inmate, without the consent or privity of the keeper of such prison, every such person shall be deemed to have delivered such vizor or disguise, instrument or arms with intent to aid and assist such prisoner to escape, or in attempting to escape from any prison, every person so offending, whether an escape be actually made or not, shall be guilty of felony, and being convicted thereof, shall be adjudged to imprisonment for any period not exceeding six months.

Breaking prison, escaping from house of correction, &c. &c., may be tried where the offence was committed or where apprehended.

A certificate given by the clerk of the assize, or other clerks of the court in which offender was convicted, with identification of person, shall be sufficient evidence to the court and jury of the fact of conviction before.

And, to the intent that prosecutions for escapes, breaches of prison and rescues may be carried on with as little trouble and expense as is possible, be it enacted, that any offender breaking prison, escaping from house of correction, hospital or asylum, or being rescued therefrom, may be tried either in the jurisdiction where the offence was committed, or in that where he or she shall be apprehended and retaken; and in case of any prosecution for any such escape, attempt to escape, breach of prison or rescue either against the offender escaping or attempting to escape, or having broken prison, or having been rescued, or against any other person or persons concerned therein, or aiding, abetting or assisting the same, a certificate given by the clerk of the assize, or other clerk of the court in which such offender shall have been convicted, shall, together with due proof of the identity of the person, be sufficient evidence to the court and jury of the nature and fact of the conviction, and of the species and period of confinement to which such person was sentenced.

Act, or parts of other Acts, contradictory to this Act, repealed.

And be it further enacted, that any other Act or Acts, or any part or parts of any other Acts which shall in any manner be repugnant to this Act, shall so far as they are repugnant to this Act stand and be repealed.

Duration.

And be it enacted, that this Act shall continue in force until the 31st day of December 1840.

— No. 7. —

No. 7.

Jamaica ss.

AN ACT in aid of an Act, 5th Will. IV. intituled, "An Act for making further Provision for the building, repairing and regulating of Gaols, Houses of Correction, Hospitals and Asylums."—(Passed 20th December 1834.)

Preamble.

WHEREAS doubts have arisen whether the supervisors or superintendents of workhouses or houses of correction are entitled to demand remuneration from the masters, employers or managers of apprentices, for the maintenance, clothing and medical attendance of such apprentices, whilst confined in such workhouses or houses of correction, and it is desirable that such doubts should be removed; be it enacted, that from and after the passing of this Act

Act it shall be lawful for the supervisors or superintendents of the several workhouses or houses of correction in this Island to ask and demand from the masters, employers or managers of apprentices committed to such workhouses or houses of correction, either for safe custody as runaway apprentices, or to hard labour in the penal gang, or on the tread-mill, or to solitary confinement, or otherwise, the sum of 6*d.* each for maintenance and 2*d.* each for medical attendance, when necessary, for every 24 hours such apprentice or apprentices shall have been in custody; provided that in all cases in which such apprentice or apprentices is or are profitably employed, either in the repair of the streets, roads or highways, or otherwise, or for hire; or the offence for which the apprentice or apprentices was or were committed to the workhouse or house of correction was not one committed against his, her or their masters, employers or managers, or arising out of the connexion subsisting between them as masters and apprentices, no charge whatever shall be made for the maintenance of such apprentice or apprentices.

Superintendents of workhouses to charge 6*d.* for maintenance, and 2*d.* for medical attendance, when necessary, for each apprentice.

Proviso, that in certain cases the master is not to be charged with such maintenance.

And be it further enacted, that every constable or other person, the permanent police excepted, who shall apprehend a runaway apprentice, knowing him or her to be such, shall be entitled to receive from his or her master, employer or manager the sum of 10*s.*, besides mile money at the rate of 6*d.* per mile, and no more.

Persons apprehending runaways to receive 10*s.*, and mile money, at the rate of 6*d.* per mile.

Be it further enacted, that the person or persons so apprehending a runaway apprentice or apprentices, shall convey him or her or them to their respective masters, employers or managers, or to a justice of the peace holding a special commission, the latter of whom shall or may commit such apprentice or apprentices to the nearest workhouse or house of correction; and the supervisor or superintendent of any such workhouse or house of correction shall and he is hereby required to receive such apprentice or apprentices into custody, and pay to the party delivering such apprentice or apprentices the said sum of 10*s.* and mile money as aforesaid, and no more, for each apprentice so delivered, under a penalty of 5*l.*

Where runaway apprentices to be taken when apprehended.

And be it further enacted, that every supervisor or superintendent of a workhouse or house of correction in this Island shall, once in every week for four successive weeks, advertise in the Royal and St. Jago Gazettes and Cornwall Chronicle, the names and sex of each and every runaway apprentice in custody, and the names of the masters, employers or managers, if known, under a penalty of 5*l.* for each apprentice so neglected to be advertised; and for the expense of such advertisement the said supervisor or superintendent is hereby authorized to charge the said masters, employers or managers of such runaway apprentices so advertised 3*s.* 4*d.* for each of the above papers, and no more, which said sum of 3*s.* 4*d.* shall be paid to the printers of the above-named papers by the treasurers for the time being of the several workhouses or houses of correction in this Island.

Superintendents of workhouses to advertise runaway apprentices in their custody.

And be it further enacted, that the charge of 6*d.* per diem for maintenance, and 2*d.* per diem for medical attendance when necessary, as well as that for advertising, and the amount paid for apprehending runaway apprentices, and for mile money, and the cost of any clothing supplied to any apprentice or apprentices whilst confined in any workhouse or house of correction, and which shall not have been paid when such apprentice or apprentices was or were discharged, shall be recovered in a summary manner before any two or more justices of the peace for the parish or precinct in which the master, employer or manager of any such apprentice may reside, at the instance of any person whom the president of any workhouse or house of correction in which such apprentice or apprentices shall have been confined may by authority in writing for that purpose appoint.

Method of recovering the workhouse fees of runaway apprentices.

And be it further enacted, that all penalties imposed by this Act may be recovered in a summary manner before any two or more justices of the peace for the parish or precinct in which the offence was committed, and shall be paid into the hands of the churchwardens for the use of the same.

How penalties imposed by this Act to be recovered.

And be it further enacted, that this Act shall be in force until the 1st day of August 1840.

Act to be in force till 1 August 1840.

BARBADOES.

— No. 8. —

Barbadoes.

AN ACT for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their Employers. —(Passed 5 April 1834).

Preamble.

WHEREAS the Parliament of the United Kingdom of Great Britain and Ireland have in the third and fourth years of His Majesty's reign passed an Act, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves:" And whereas the legislature of Barbadoes, relying on the justice of the British nation to afford a just compensation to the proprietors of slaves within this Island for the loss they will sustain by being deprived of their property, will co-operate with the Imperial Parliament in so desirable an object as the abolition of slavery: Be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the

Clause 1. All persons who, on the 1st of August 1834,

shall have been registered as slaves, and shall appear on the registry to be six years old or upwards, shall from that day become apprenticed labourers.

the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same, the honourable the members of His Majesty's Council and General Assembly of this Island, and by the authority of the same, that from and after the 1st day of August 1834, all persons who in conformity with the laws now in force in this Island shall on or before the 1st day of August 1834 have been duly registered as slaves in this Island, and who on the said 1st day of August 1834 shall be actually within this Island, and who shall by such registry appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid any slave belonging to this Island, and engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island.

Clause 2. Persons entitled to the services of apprenticed labourers.

And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if this Act had not been made.

Clause 3. Slaves and apprenticed labourers carried to the United Kingdom, declared free.

Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been carried with the consent of their possessors, and all slaves and apprenticed labourers who may hereafter with the like consent be carried from this Island into any part of the United Kingdom of Great Britain and Ireland, are hereby declared to be absolutely and entirely free and discharged from all slavery or apprenticeship, and to be entitled to their freedom and discharge accordingly, to all intents and purposes whatsoever: provided always, that nothing herein contained shall prevent or be construed to prevent the owners of such slaves thus manumitted and set free being entitled to receive compensation for the value of such slaves, in like manner as if such slaves had been made apprenticed labourers.

Proviso: Owners to be compensated.

Clause 4. Apprenticed labourers divided into classes of prædial attached, prædial unattached, and non-prædial.

And be it further enacted, that all such apprenticed labourers shall for the purposes of this Act be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners, or otherwise engaged in labour or occupations not continuous; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners, or otherwise engaged in labour or occupations not continuous; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the preceding classes: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months, at the least, next before the passing of this Act, have been habitually employed in agriculture, or in the manufacture of colonial produce or otherwise as aforesaid; or unless such person shall have been subsequently to that period dismissed from domestic service for any of the offences hereinafter enumerated, for which a special justice of the peace may adjudge any non-prædial apprenticed labourer to be placed in the class of prædial apprenticed labourers: provided always nevertheless, and be it enacted, that it shall and may be lawful for any apprenticed labourer who may have been so dismissed to appeal to the special justice of the district, who shall inquire into the circumstances of the case, and shall determine to which class of apprenticed labourers such person shall belong.

Proviso.

Clause 5. Registrar of slaves to deliver original returns to owners, who are to distinguish the classes.

And be it further enacted, that the registrar of slaves shall deliver to the owners of slaves applying for the same the latest lists or schedules of their slaves so soon as he shall have completed the present registration, and of which he shall give due notice in the public newspapers in this Island; and between the 1st day of May and the 1st day of August now next ensuing, every owner of slaves by himself or herself, or by his or her constituted attorney in this Island in case of absentees, or in case any such owner be an invalid or incompetent, then by some other person or persons, shall return back to the registrar such lists or schedules, distinguishing, in reference to each slave therein mentioned, to which of the said three classes such slave will belong; and every such return shall be made on oath before the registrar, who is hereby authorized and required to administer the same as follows: "I, *A. B.*, do swear, that the distinctions made in the return now presented of the classes to which the respective slaves therein named will belong as apprenticed labourers correspond with the occupations usually pursued by such slaves for 12 months previous to the passing of an Act of this Island, intituled, 'An Act for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their Employers,' according to the best of my knowledge, information and belief;" adding, if the fact be so, "except the slave or slaves named *A. B.* and *C. D.*, who subsequently to that period hath or have been dismissed from domestic service for [*stating the offence*], and for no other cause whatsoever. So help me God."

Clause 6. If the registrar shall doubt the accuracy of returns made, he is to institute an inquiry.

And be it further enacted, that if in any case the registrar shall see cause to doubt the accuracy of any such return, he shall retain the same, and shall appoint a time and place at which the person making the return shall attend him to substantiate the accuracy of such return; and at the time and place to be appointed, the person to whom the notice thereof shall be addressed shall attend the said registrar, and, if required, bring with him any slave,

respecting

respecting whom such doubt may have arisen, and the registrar shall then proceed to examine such person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return, and may if necessary adjourn such examination from time to time; and the registrar, after making due inquiry, shall either confirm or correct any such return as he may think fit, giving notice to the party making such return, and the slave respectively, of such his decision.

Clause 7. Registrar to deliver back the return to the party making it.

And be it further enacted, that after such proceedings shall have taken place, the registrar shall deliver back to the party making such return the original thereof corrected, if necessary, and certified by him as having been duly entered in the registry.

Clause 8. Distinguishing letters to be affixed to the name of each apprenticed labourer.

And be it further enacted, that when such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry the letters P. A.; of each prædial unattached, the letters P. U.; and of each non-prædial slave, the letters N. P.

Clause 9. Penalty on persons omitting to make returns.

And be it further enacted, that any person omitting to make the return on oath by this Act required, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*; and in the event of the wilful absence of any person when summoned, it shall be lawful for the registrar to proceed to decide any such question, as though such party had attended.

Clause 10. Registry to be deposited in the secretary's office.

And be it further enacted, that during the continuance of the aforesaid apprenticeship, such slave registry shall be deposited in the secretary's office of this Island; and when any question shall arise respecting the class to which any apprenticed labourer belongs, the original return, corrected and certified as above directed, or a certified copy or extract from such registry, shall be taken as conclusive evidence of the fact; and for every copy of, or extract from any such return, the secretary shall be paid a fee of 3*s.* 1½*d.*, if such copy or extract shall contain the names, ages and classes of 100 or more slaves or apprenticed labourers; and a fee of 1*s.* 6¾*d.* for any number under 100: provided nevertheless, and be it also enacted, that it shall and may be lawful for any apprenticed labourer to appeal from any such decision of the registrar to the special justice of the peace of the district in which such apprenticed labourer shall reside, who is hereby authorized to hear and determine any such appeal, and to summon all necessary parties and witnesses before him for that purpose; and in case such special justice shall decide that such apprenticed labourers ought to belong to any other class than the one in which he or she shall have been registered, it shall be lawful for the secretary of the Island, and he is hereby required to make such alteration in the said registry as shall correspond with the decision of such special justice, anything hereinbefore contained to the contrary notwithstanding.

Appeal allowed an apprenticed labourer to a special justice, from the decision of the registrar.

Clause 11. Remuneration of 200*l.* current money to be paid the registrar.

And be it further enacted, that the registrar of slaves shall be paid the sum of 200*l.*, current money of this Island, out of the public treasury, for the performance of the duties required of him by this Act.

Clause 12. Domestics, for certain offences, may be put to the work of prædial labourers, and dealt with as such.

Provided nevertheless, and be it further enacted, that in case any non-prædial apprenticed labourer shall be convicted before a special justice of the peace, on the complaint of his or her master, mistress or employer, of habitual drunkenness, stealing, committing or attempting to commit any serious injury to the person or property of his or her master or mistress, or other gross misdemeanor, such special justice, with the consent of such master or mistress, shall remove such non-prædial apprenticed labourer into the class of prædial apprenticed labourers, and such non-prædial apprenticed labourer shall upon such removal be subject and liable to all the rules and regulations to which a prædial apprenticed labourer is or shall be subject.

Clause 13. Apprenticeship of prædial labourers not to continue beyond the 1st August 1840.

And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such his or her apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship to perform any labour in the service or for the benefit of the person or persons entitled to his or her services, for more than 45 hours in the whole in any one week, unless he or she shall enter into some contract for that purpose, except as is hereinafter excepted; and that such 45 hours' labour shall be performed between the Monday morning and Friday evening of every week, leaving Saturday and Sunday at the disposal of such prædial labourer: provided always, and be it further enacted, that in all such cases where such prædial apprenticed labourers are under the age of 12 years, then and in such cases such prædial apprenticed labourers shall perform such their 45 hours' labour between the Monday morning and Saturday evening of each week.

And not to perform more than 45 hours' work per week, between Monday and Friday. But those under 12 years of age to perform the 45 hours between Monday and Saturday.

Clause 14. Prædial labourers, whilst employed as watchmen or cattle-keepers, to receive wages for extra time.

And be it further enacted, that nothing herein contained shall extend, or be construed to extend to any prædial apprenticed labourer who may be employed in the protection of any crops, buildings, or property of any kind, or in care of cattle or any other stock, but that all such prædial apprenticed labourers during the time of such their employment shall be compelled to perform their several services for the whole week, and shall be entitled to such wages or remuneration for such extra services as shall be agreed on by and between any such prædial apprenticed labourer and his or her employer or employers; and in case of any disagreement, then to such wages or remuneration as shall be sanctioned by the special justice of the peace for the district to which such prædial apprenticed labourer shall belong.

Clause 15. In cases of necessity, prædial labourers to be compelled to perform services during their own time, but to be remunerated for the same.

And be it further enacted, that in all cases of urgent necessity it shall be lawful for the owner, or other person in management of any property, where such necessity shall occur, to require and compel the immediate and continued service of all or any of the apprenticed labourers attached to such property during such emergency; and any apprenticed labourer who may refuse when called on to perform any such services, shall be liable to all such penalties as he would be liable to for the undue performance or neglect of work during any time his or her employer may be entitled to his or her services: provided nevertheless, that such apprenticed labourers be remunerated by a portion of time equivalent to the number of hours so employed, or by pecuniary payment according to the current price of labour.

Clause 16. Apprenticeship of non-prædials not to continue beyond the 1st August 1838.

And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

Clause 17. Apprentices may be discharged by voluntary act of employer.

And be it further enacted, that if before any such apprenticeship shall have expired, the person or persons entitled for and during the remainder of any such term to the services of such apprenticed labourer, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do by his or her last will and testament, to be executed in such manner as is required by the law of this Island to pass lands of inheritance, or by any deed to be made by him, her or them, in the manner and form following:

Form of the discharge.

"Barbadoes:—I (*A. B.*, of the parish of) do hereby discharge (*C. D.*, of the district of) my prædial apprenticed labourer, attached to the soil (*or*, as the case may be), from all further services to me and my heirs. Witness my hand and seal this day of 183 ."

Which deed shall be signed, sealed and delivered by the person or persons discharging such apprentice, in the presence of one or more credible witness or witnesses, in duplicate, one part whereof shall be filed in the office of the special justice of the district within one month from the execution thereof, and the other part delivered to the apprentice discharged: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid shall at that time be of the age of 50 years or upwards, or shall then be labouring under any such disease, or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship as fully as if such apprenticed labourer had not been discharged therefrom; unless such discharge in the case of an apprenticed labourer above the age of 50 years, and not labouring under any such disease, or mental or bodily infirmity, be with the voluntary consent of such apprenticed labourer, declared in the presence of the special justice of the district.

If of the age of 50 years, or being infirm, employer liable for their support, unless discharged with consent of special justice.

Clause 18. Apprenticed labourers may purchase their discharge, and apply to justices to proceed thereon.

And be it further enacted, that when any apprentice under this Act shall be able and willing to purchase his or her discharge, and the person entitled to the services of such apprentice shall refuse or be unwilling to sell such discharge, such apprentice shall be at liberty to apply to the nearest magistrate, to be appointed by special commission, who shall thereupon give notice to the person entitled to the services of such apprentice, or his or their representative or agent, and such last-mentioned person shall thereupon appoint a justice of the peace of the precinct in which the apprentice shall reside, who shall and he is hereby required to associate himself with such special justice of the peace, and the said two justices shall also associate with them one other justice of the peace, who is also hereby required to associate himself as aforesaid; and in case the said special justice and general justice of the peace cannot agree on the third justice so to be called in, then the chief judge for the said precinct shall name and appoint such third justice; provided, that in case such chief judge shall have any interest in the question, the next assistant judge in seniority shall appoint such third justice.

Clause 19. Manner of proceeding by justices in fixing the value of apprenticeship.

And be it further enacted, that the said three justices shall meet at such place as the justices themselves shall appoint, and shall proceed to fix a value upon such apprentice, which valuation shall be binding and conclusive on all parties, and upon the amount of such valuation being paid to the person entitled to receive the same, or to the treasurer as hereafter mentioned, such apprentice shall be absolutely discharged from the remainder of the term of apprenticeship, and the three justices shall grant a certificate under their hands in the form following:

Form of justices' discharge to an apprentice.

"We do certify and declare that *A. B.*, the apprentice of *C. D.*, of the parish of , hath this day been discharged and released from the remainder of the term of his [*or* her] apprenticeship. Given under our hands this day of ."

Provided that notice of the time and place of meeting shall be given to the person entitled to the services of such apprentice, or to his legal representative, or left at his or her usual place of residence, at least 14 days before such meeting; and that the said justices shall and may issue their summons to any witness of whose materiality they shall be satisfied either on the part of the apprentice or the person entitled to his or her services, and shall examine such witness on oath, touching the value of the services of such apprentice; and in case any person so summoned to attend shall refuse or neglect to attend, the said three justices shall and they are hereby empowered and required to issue their warrant, authorizing

ing any lawful constable to apprehend and bring any such person so summoned before them, in order that he or she may be examined in the premises.

Clause 20. Should claims be made on the appraised value, the money to be paid to the treasurer of the Island, until the rights of parties are settled.

And be it further enacted, that in case any person shall by virtue of any estate tail or limitation, or remainder, or any security, claim any right to the services of the said apprentice for the remainder of the term of his apprenticeship, expectant upon the death of the person then entitled to his or her services, or by virtue of such security, and shall by reason thereof claim a right to participate in the amount paid for the discharge of such apprentice, the said three justices shall direct such amount to be paid to the treasurer of this Island, until the rights of the parties are ascertained and decided as hereinafter mentioned, and such sum shall bear interest at 6*l.* per cent. until again paid out, and shall in the meantime be used as the public funds of the Island.

Clause 21. Governor and council to settle such rights.

And be it further enacted, that any party claiming to be entitled to the sum so paid to the treasurer, shall be at liberty to apply, by summary petition or special motion, to the Governor and Council, who shall, upon hearing the matter, adjudge and determine how and to whom such sum of money shall be paid and applied, and the treasurer shall thereupon, unless such decision shall be appealed from, pay such amount as the Governor and Council shall by their order direct.

Clause 22. How to proceed, should employer refuse to name a justice to fix the value of the apprenticeship.

And be it further enacted, that in case the person entitled to the service of any apprentice so applying to be discharged, shall refuse or neglect to appoint a justice, such special justice shall associate with him a general justice of the peace, and such two justices shall thereupon proceed in manner hereinbefore directed, and with the same powers as hereinbefore enacted respecting the said three justices.

Clause 23. Apprentices convicted of theft, to be stayed for a given time from purchasing their discharge.

Provided also, and be it further enacted, that if before any order shall be made by the said justices, or any such appraisement so to be made as aforesaid, it shall be alleged before the said justices that such apprenticed labourer purposed to be discharged, hath at any time during his or her apprenticeship been convicted in a due course of law of any robbery or theft, or in case such apprenticed labourer shall be charged before any justice of the peace, or any criminal court, with having committed any theft or robbery, the said justices shall inquire into the truth of such allegation, and if it shall be made to appear to them by good and sufficient evidence upon oath, that such apprenticed labourer hath during such his or her apprenticeship been so convicted of any robbery or theft, the said justices shall and they are hereby required not to make any order on such appraisement, and thereupon the same and all other proceedings for the discharge of any such apprenticed labourer shall be stayed until the expiration of three years of the term of his or her apprenticeship from the time of the conviction of such apprenticed labourer of any such theft or robbery: and if such apprenticed labourer shall be under such charge before such justice or court, such justices shall suspend further proceeding on such appraisement, until such apprenticed labourer shall be convicted or acquitted of any such charge, and if convicted the aforesaid proceedings shall be stayed for the period last aforesaid.

Clause 24. Apprentices not removable from the Island.

And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island, and that no prædial apprenticed labourer who may, in manner aforesaid, become attached to the soil, shall be subject or liable to perform labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any two or more justices of the peace holding such special commission as hereinafter mentioned, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his, her or their services to any other estate or plantation in this Island to such person or persons belonging, which written consent shall in no case be given, or be of any validity, unless such justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, provided the child be under the age of 18 years, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; and such consent shall be in the form annexed, marked (A.); and every such consent shall be recorded in a book by the special justice into whose district such prædial apprenticed labourer as aforesaid shall be removed, or should such removal be in the same district, then by the special justice of such district: provided nevertheless, that nothing herein contained shall hinder or prevent the temporary employment of any such prædial apprenticed labourer, attached to the soil on any other estate or plantation belonging to the person or persons entitled to the services of such prædial apprenticed labourer, nor the hiring out of any surplus labour, for the cultivation of any neighbouring lands or manufacture of any sugar or other produce thereon, provided that such prædial apprenticed labourer shall be allowed sufficient time for going to and returning from such other estate or plantation, or such neighbouring lands, to be deducted out of the portion of time during which such person or persons shall be entitled to the services of such prædial labourer; provided also, that nothing herein contained shall prevent or be construed to prevent the employment of any prædial apprenticed labourer in repairing any of the roads, highways or streets where any assessments of labour shall be made for that purpose, such labour to be deducted out of the 45 hours' labour to which their employers are entitled.

Prædials to be employed on the plantations to which they may be attached prior to 1 Aug. 1834.

May be removed from one plantation to another belonging to same proprietor, but so as not to separate families, or children of 18 years from their parents.

Proviso for temporary employment, or the hiring out of apprentices on other properties.

Prædials may be employed in repairing roads.

Clause 25. Services of apprentices may be transferred, but so as not to separate families.

And be it further enacted, that the right or interest of any person or persons to and in the service of any such apprenticed labourers as aforesaid, shall pass and be transferred by bargain and sale, contract, deed, conveyance, will or descent, in the same manner as lands of inheritance, and be subject to the same rules of law as are required to pass lands of inheritance, and by none other, notwithstanding the abridged duration of such property; provided that no such apprenticed labourer shall, by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject or liable to be separated from his or her wife or husband or parent or child, or from any person or persons reputed to bear any such relation to him or her.

Clause 26. Prædials to pass along with plantations sold in Chancery.

And be it further enacted, that in all cases where any plantations or lands shall be sold under any decree of the Court of Chancery in this Island, the right and interest of the mortgagee, seller or debtor of, in or to the services of all prædial apprenticed labourers attached to the soil of such plantations or lands, shall be transferred and go along with such plantations and lands; and the purchasers of such plantations or lands shall be entitled to the services of such prædial apprenticed labourers so attached to the soil of such plantations or lands, and be liable to the duties hereinbefore required by this Act from persons entitled to such services.

Clause 27. Clothing and food to be supplied to apprenticed labourers by their employers.

And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer, shall be and is and are hereby required to supply or cause to be supplied to him or her, such food, clothing, lodging, medicine and medical attendance as hereinafter mentioned; that is to say, each and every such apprenticed labourer above the age of 16 years shall receive in each week not less than 30 pounds of plantains, potatoes, yams or eddoes, or 10 pints of Guinea or Indian corn, and a pound of cod fish or herrings, shads or other pickled fish, or other salted provisions equal thereto; and every such apprenticed labourer, from the age of 12 years to the age of 16 years, shall receive two-thirds of the above allowances of food; and every such apprenticed labourer, from the age of six to the age of 12, shall receive the one-half of the first-mentioned allowances of food; and children under six years of age, being apprenticed labourers, shall be provided with proper and sufficient food for their support: provided nevertheless, that the person or persons entitled to the services of any such apprenticed labourer, or any person or persons acting in his or her behalf, who may be unable or unwilling to procure such provisions as hereinbefore mentioned, may, with the authority in writing of the special justice of the peace of the district in which such apprenticed labourer or labourers is or are resident, substitute for the same, or any part or parts thereof, any other kind of provisions, or any money-payment or allowance of time for such apprenticed labourer or labourers, to work for his, her or their own benefit and advantage, as shall, in the judgment of such special justice, be equivalent to the allowances hereinbefore prescribed; and all provisions so to be delivered and supplied to the apprenticed labourers, shall be sound and fit for consumption, and of good average merchantable quality; and the same shall be delivered and supplied to such apprenticed labourer once or oftener in each week, on any other day than Saturday or Sunday; and if any such person or persons as aforesaid, subject and liable so to do, shall not deliver or supply to such apprenticed labourer provisions of such amount and quality, and at such times as he, she or they is or are hereinbefore required to deliver and supply the same, such person or persons shall incur and become liable to a penalty (provided complaint thereof be made within 14 days,) equal to twice the value of the provisions which ought so to have been supplied for the use and benefit of such apprenticed labourer injured by such omission or neglect, unless it can be proved that the same cannot be purchased in any of the towns or markets of this Island; provided that, if, before any complaint shall be lodged by any such apprenticed labourer, the person or persons so omitting or neglecting to deliver or supply such provisions, shall have actually delivered and supplied or tendered all arrears of provisions to such apprenticed labourer, then and in such case such person or persons shall be released and discharged from all such penalty or penalties: provided nevertheless, that in time of scarcity the Governor, by and with the advice of the Council, may from time to time by proclamation, to be by him for that purpose issued, authorize the substitution of any other provisions or allowances which can be procured in lieu of the aforesaid allowances: provided always nevertheless, that whilst apprenticed labourers shall be imprisoned in any house of correction or public prison of this Island, the employer or employers of such apprenticed labourers shall not be bound to provide them with any allowance of food, or money to purchase food, but that they shall be fed at the public expense; and in all such cases where a weekly payment shall be agreed on as aforesaid, then such weekly money-payment or wages shall be recovered before the special justice of the district where such apprenticed labourer shall reside.

Substitution of other food, or of money, or time, permitted.

Penalty on employers for any default.

In time of scarcity, the Governor may, by proclamation, substitute other provisions or rations.

Clause 28. Employers may appropriate land for the maintenance of their prædials, under certain regulations.

Provided always, and be it further enacted, that if any person or persons subject and liable to supply and deliver such food as aforesaid be willing to maintain any prædial apprenticed labourer or labourers by the appropriation of land, to be by such apprenticed labourer or labourers cultivated for that purpose, such person or persons shall be at liberty to do so under the following conditions, that is to say, for every prædial apprenticed labourer so to be maintained, and being of the age of 16 years and upwards, such person or persons shall be bound to set apart half an acre of land properly adapted for the growth of ground provisions or corn, and not more than a mile distant from the place of residence of such prædial apprenticed labourer; and in respect of every apprenticed labourer so to be maintained and being under the age of 16 years, every such person or persons as aforesaid shall be bound to set apart for the father or reputed father or mother of every such infant apprentice half the quantity

quantity of like land; or if such infant shall have no parent to whose services such person or persons shall be entitled, then such land shall be set apart for any other prædial apprenticed labourer or other person who shall be willing to be charged with the cultivation thereof, for the benefit of such infant; and every such person or persons who shall be willing to maintain any prædial apprenticed labourer by the appropriation of land as aforesaid, shall within the first week of April in each and every year deliver, or cause to be delivered, to the special justice of the district in which such prædial apprenticed labourer shall reside, a written declaration in the form annexed, marked (B.), which written declaration shall be signed by the person or persons aforesaid, or in his, her or their name or names, by his, her or their constituted attorney or attornies in this Island, and recorded at the office of the special justice of the district aforesaid; and every such person or persons aforesaid shall, during the period to which such declaration shall apply, be bound to maintain such prædial apprenticed labourer in the manner thereby proposed, unless such special justice as aforesaid shall, by a written licence under his hand, authorize such person or persons within that period to change the mode of maintaining such his prædial apprenticed labourers; and it shall not be lawful for any person or persons aforesaid, or his, her or their creditor or creditors, or other person or persons claiming under him, her or them, to dispossess any such apprenticed labourer of any land so cultivated by him, her or them, until he, she or they shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground; and if such prædial apprenticed labourer shall, by a due course of law, be dispossessed of such land on which any crops are growing, then and in such case it shall and may be lawful for the special justice of the district in which such land lies to summon any five freeholders of the vicinity of the same to appraise the value of such crops growing on such land, who, and the said special justice, shall repair to the place where such land lies, and such special justice is hereby authorized to administer to such freeholders, or any three or more of them who shall be present, the following oath:

"You and each and every of you do swear, that, according to the best of your judgment, you will make a true, just and impartial appraisement of the value of the crop or crops of corn (or whatever other crop or crops shall be planted on such land,) growing on the land now shown to you. So help you, God."

And the appraisement so to be made shall be reduced to writing, and signed by the freeholders who shall make such appraisement, and the amount of such appraisement shall be paid to the apprenticed labourer from whom such crops shall have been taken, within 14 days from the date of such appraisement, by the person or persons who or in whose behalf such written declaration as aforesaid for the appropriation of land shall have been made and signed; and in default thereof the same shall be recoverable as servants' wages, on complaint before such special justice by such apprenticed labourer or labourers as aforesaid; and every prædial apprenticed labourer for or in respect of whom any land shall be so appropriated and set apart, shall in each year be allowed 26 days, exclusive of Saturdays, for the cultivation thereof, between the 1st day of April and the 1st day of December, and each of such 26 days shall be understood to consist of 24 hours, commencing at the hour of six in the morning, and terminating at the hour of six the next succeeding morning; and if any person or persons as aforesaid who shall undertake to maintain such prædial apprenticed labourer by the appropriation of land, shall not set apart for every apprenticed labourer who is maintained by the cultivation of land, such land of such quality and quantity, and so situate as hereinbefore required, or shall dispossess any such apprenticed labourer of any land by him or her cultivated, until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such land, every person so offending shall incur and be liable to a penalty equal to twice the amount of loss sustained by such apprenticed labourer, by every such act, omission or neglect, which penalty shall be ascertained by appraisement of freeholders, in manner hereinbefore required in cases of dispossession by due course of law, and the same shall be recovered on complaint before such special justice as aforesaid, for the use and benefit of the apprenticed labourer so injured, and every such freeholder who shall have received five days' notice in writing for that purpose, shall omit, neglect or refuse, to attend at the time and place stated in such notice or summons, a copy of which shall be served on him, shall pay a fine of 25 *s.*, unless such cause as would excuse or exempt such freeholder from attending as a juror in any of the courts of common pleas in this Island shall be shown by such absent freeholder within 14 days from the date of such non-attendance, or by some person on his behalf, to such special justice, and execution shall be signed at the expiration of 14 days by such special justice for the amount of such fine, and such execution shall be lodged with the provost-marshal of the Island, to be proceeded on by him as in cases of execution against jurors for not attending at any court of common pleas, and the amount thereof paid into the public treasury.

Twenty-six days to be allowed in each year for cultivating such land.

Provided always, and be it further enacted, that all persons who by the laws of this Island are exempted from serving as jurors in the respective courts of common pleas of this Island, shall also be, and they are hereby declared to be exempted from serving as freeholders for any of the purposes whatsoever in and by this Act prescribed with respect to freeholders.

Clause 29. Exemption of freeholders.

And whereas the slaves of this Island have been permitted by their owners to keep hogs, goats, sheep and feathered stock, and the markets of this Island are supplied to great extent with butchers' meat, and almost exclusively with poultry so raised: and whereas it frequently happens that such slaves suffer their stock to stray about the lands belonging to their owners, and

Clause 30. Stock belonging to apprenticed labourers found trespassing on their employers' lands, may be killed or impounded.

and destroy or injure the crops growing thereon, and it has been thought necessary to make a law authorizing the destruction of the stock belonging to slaves so straying: and whereas it becomes necessary to provide against the damage which the owners of lands may be subject to from the stock of apprenticed labourers; be it therefore enacted, that if the owners of any plantations or lands shall suffer their apprenticed labourers to keep any cattle, hogs, goats, sheep or feathered stock, and which shall be found trespassing on such plantations or lands, it shall and may be lawful for the owners of such plantations or lands, or their representatives, to cause every such hog, or such feathered stock, either to be killed or impounded on such plantations or lands, and to cause such cattle, goat or sheep, that shall be so found trespassing, to be impounded on such plantation or land; and for every one of such cattle, hog, goat, or sheep so impounded, the owner of such plantation or land shall be entitled to a quarter dollar, and for every head of feathered stock, 5 *d.*, which, if not paid in seven days, the owner, or his manager or representative, may sell such cattle, hog, goat, sheep or feathered stock, and after deducting the sum or sums aforesaid, and the expense of feeding such cattle, hog, goat, sheep or feathered stock, such owner, or his manager or representative, shall pay the overplus to the apprenticed labourers to whom the cattle, hogs, goats, sheep or feathered stock, so impounded and sold, shall belong; or the owners of such plantations or lands which shall be so trespassed upon, or his or her manager or representative, may lodge a complaint with the special justice of the district, who is hereby required to issue a summons to three of the neighbouring freeholders to the land trespassed on, directing them to appraise such damage done by any such cattle, hogs, goats, sheep or feathered stock, which freeholders are hereby required to attend and appraise such damage accordingly, and return such appraisement to the said special justice, under the penalty of 25 *s.* for every neglect by any such freeholder without reasonable cause, to be allowed by the said justice, to be recovered and paid into the public treasury, in the manner hereinbefore prescribed, in case of default made by freeholders; and if the apprenticed labourer to whom any such cattle, hog, goat, sheep or feathered stock shall belong, shall not within seven days pay the amount of such damage, the special justice is hereby authorized to direct any police officer or constable to sell and dispose of the stock so impounded, and after payment of the amount of damage so appraised to pay the overplus to the apprenticed labourer, and if the damage shall exceed the value of the stock so impounded and sold, the special justice shall adjudge such apprenticed labourer to make good the difference out of his or her extra labour.

Or damage may be assessed and recovered.

Clause 31.
Clothing to prædials in each year.

And be it further enacted, that it shall be the duty of every person or persons entitled to the services of such apprenticed labourers, and they are hereby required to deliver to every apprenticed labourer, not being a domestic, for his or her use, between the 1st day of March and the 1st day of June in each and every year, the following articles; that is to say, to every male apprenticed labourer one worsted or Kilmarnock cap, one woollen or Pennistone jacket, one Oznaburg shirt, and one pair of Oznaburg trousers; to every female apprenticed labourer one worsted or Kilmarnock cap or one printed cotton handkerchief, one woollen or Pennistone jacket, and one Oznaburg petticoat, and one Oznaburg or check shift: provided nevertheless, that for all non-prædial apprenticed labourers who may be domestics, the person or persons entitled to his, her or their services shall be at full liberty to provide any other fit and sufficient clothing he, she or they shall think proper: provided always, that with the consent and authority in writing of the special justice of the district, in which any such prædial apprenticed labourers are resident, the person or persons entitled to their services, or any person acting in his or her behalf, may, and he, she and they are and is hereby authorized to substitute, for the articles hereinbefore enumerated, any other articles of clothing which shall in the judgment of such special justice be equivalent to the articles hereinbefore enumerated, directed and prescribed; and all the articles hereinbefore enumerated, and so to be supplied to such apprenticed labourers as aforesaid, or substituted in manner aforesaid, shall be of good average merchantable quality; and if any person or persons subject and liable to provide any such enumerated articles as aforesaid shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any such apprenticed labourers aforesaid, such articles of clothing as are hereinbefore enumerated, the person or persons so offending shall incur and become liable to a fine equal to twice the value of the article or articles withholden, for the use and benefit of the apprenticed labourer injured by such neglect.

Domestics to be furnished with such clothing as employers may think more suitable.

Other articles of clothing may be substituted.

Penalty of double the value of clothing not supplied.

Clause 32.
Employers may allow their prædial labourers a day in every fortnight, in lieu of fish and clothing.

And whereas it may be mutually beneficial to employers and their apprenticed labourers, that a substitution of time shall be allowed to such apprenticed labourers in lieu of the fish and clothing to which they are hereinbefore entitled; be it therefore enacted, that in every case where any master, mistress or employer shall prefer to give time in lieu of fish and clothing to any of his or her apprenticed labourers, being above the age of 12 years, he or she shall be at liberty so to do, by and with the consent of the special justice of the district, provided that such master, mistress or employer shall give and allow to such apprenticed labourer one day in every fortnight to enable such apprenticed labourers out of the earnings of his or her labour to supply himself or herself with fish and clothing; and the master, mistress or employer, with such consent as aforesaid, shall within the first week in April in each and every year, deliver or cause to be delivered to the special justice of the district in which he or she may reside, a written declaration in the form annexed, marked (C.), which written declaration shall be signed by such master, mistress or employer, or in his or her name by his or her constituted attorney or attornies in this Island, and recorded at the office of the special justice of the district last aforesaid; and every such master, mistress or employer shall, during the period to which such declaration shall apply, be bound to allow such apprenticed

apprenticed labourer such day in every fortnight, exclusive of Saturday, Christmas-day and Good Friday, or forfeit and pay to such apprenticed labourer the sum of 2*s.* 6*d.* for each day withheld.

Clause 33. Apprentices to be allowed to attend Divine worship.

And be it further enacted by the authority aforesaid, that it shall and may be lawful for every apprenticed labourer, and every apprenticed labourer is hereby authorized, at his or her free will and pleasure, on each and every Sunday throughout the year, and on Good Friday and Christmas-day, to attend at the celebration of Divine worship in any church or chapel whatsoever; provided nevertheless, that every apprenticed labourer whose services for the protection of property, or tending of cattle, or for the performance of any domestic duties, shall be rendered necessary on Sunday, shall be subject to such regulations respecting the times which shall be allowed to such apprenticed labourer for the attendance on Divine worship as the employer of every such apprenticed labourer shall make for that purpose; provided nevertheless, that no apprenticed labourer shall be prevented by any such regulation from attending once at some place of worship on the Sabbath-day, and on Christmas-day and Good Friday.

Clause 34. Proprietors of 40 or more apprentices to engage a medical practitioner, to visit them at least once a week; and in every other case when necessary.

And be it further enacted, by the authority aforesaid, that the proprietor or proprietors of any estate in which there shall be 40 apprenticed labourers and upwards, shall, and he, she or they are and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity, not less than once in every week; and during the illness or indisposition of such apprenticed labourer, his or her usual allowances, in a dressed state, or some other appropriate diet, shall be provided for him or her; and every other person entitled to the services of any apprenticed labourer shall be and is hereby required to provide medical assistance for every such apprenticed labourer when necessary; provided always nevertheless, that no apprenticed labourer shall be compelled or permitted to quit the hospital or sick-house without the permission of the medical practitioner of the plantation or estate to which he or she shall belong, and it shall and may be lawful to keep the doors of such hospital or sick-house locked, to prevent apprenticed labourers from disobeying the orders of such medical practitioner.

Clause 35. Penalty for not providing medical attendance for apprentices.

And be it further enacted, that if any proprietor or proprietors as aforesaid, or any other person or persons entitled to the services of any apprenticed labourer or labourers, shall refuse or neglect or omit to provide such medical attendance as hereinbefore mentioned, and such medicines as shall be required, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 5*l.*, or more than 15*l.*, to be recovered before the special justice of the district in which such apprenticed labourer shall reside; one half of which fine shall go to the informer, and the other half shall be paid into the public treasury of the Island.

Clause 36. Place of nightly lodging to be provided for apprentices.

And be it further enacted, by the authority aforesaid, that every person entitled to the services of any apprenticed labourer shall furnish such apprenticed labourer nightly with a wholesome place of lodging; and if such apprenticed labourer be a prædial apprenticed labourer, attached to the soil, such place of lodging shall be provided on the plantation or estate to which he or she shall be attached, under a penalty in default thereof for each and every omission of not less than 2*s.* 6*d.* or more than 5*s.*, for the use of such apprenticed labourer in respect of whom such default shall be made, to be recovered before the special justice of the district to which such apprenticed labourer shall belong; provided that complaint be made within seven days after the default.

Clause 37. Slavery to cease on the 1st August 1834.

And be it further enacted, that, subject to the obligations imposed by this Act upon apprenticed labourers as aforesaid, all and every the persons who on the 1st day of August 1834 shall be holden in slavery within this Island, shall, upon and from and after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted, and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished and declared unlawful within this Island.

Clause 38. Children under six years of age may be apprenticed, if their parents cannot support them.

And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in such contingency; be it therefore enacted, that if any child who on the said 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer might give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding any such special commission as hereinafter mentioned; and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed her or his age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship in the form annexed, marked (D.), thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that any such person or

Form of indenture of apprenticeship.

persons as aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year and no longer; and every child so apprenticed as aforesaid, by the order of any such justice of the peace as aforesaid, shall during his or her apprenticeship be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be by him or her furnished, as any other such apprenticed labourer as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child; and every indenture of apprenticeship executed by virtue of this enactment shall be recorded in the office of the special justice of the district where such apprenticed labourer shall belong: provided also, and be it further enacted, that if any child or children under the age of 12 years, whose parent or parents, or other person or persons, have undertaken to maintain such child or children, and who may have been allowed by the employer of his or her parent or parents, or of such other person or persons as aforesaid, to reside on the plantation or lands of such employer, shall have been detected three times in plundering or stealing from the lands or buildings of such employer any of the growing or other crops, or any other articles whatsoever, the same shall be evidence that such child or children is or are not properly supported by his or her parent or parents, or such other person or persons as have undertaken the maintenance of such child or children: provided also, that if the person or persons entitled to the services of the mother of any such child as aforesaid, or who shall have been last entitled to the services of such mother, shall not be possessed of lands, such person or persons shall not be compelled to accept and receive any such child as an apprenticed labourer, nor shall any such person or persons, although possessing lands, be compelled to accept and receive any such child as an apprenticed labourer, except such child be bound to such person or persons as a prædial apprenticed labourer.

Indenture to provide that time and opportunity be allowed for education and religious instruction.

Persons not possessing lands shall not be compelled to take an apprentice.

Persons only compelled to take prædial attached apprentices.

Clause 39. Regulations for the government of apprenticed labourers.

Island to be divided into districts.

And whereas it is necessary that various rules and regulations shall be framed and established for the government and protection of such apprenticed labourers; be it therefore enacted, by the authority aforesaid, that for the purposes of this Act the Island of Barbadoes shall be and the same is hereby declared to be divided into judicial districts, in the manner that shall be hereafter determined by the Governor and Council, by an Order in Council, to be made and published for that purpose.

Clause 40. One or more special justice to reside in each district.

And be it further enacted, that one or more special justice of the peace, to be nominated as hereinafter mentioned, shall be appointed to each of the said districts, who shall reside within the district to which he or they shall be appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

Clause 41. Special justices to be accessible at all seasonable hours, and to keep an office.

And be it further enacted, that every such special justice of the peace shall be accessible at all seasonable hours to receive complaints; and every such special justice of the peace shall keep an office open for the receiving, hearing and determining all such complaints and cases as are cognizable by him from 10 o'clock in the morning until four o'clock in the afternoon in every day in the week (except Sunday) if necessary.

Clause 42. Special justices to repair to plantations, when required.

Provided three or more apprenticed labourers be implicated in the charge.

And be it further enacted, that every such special justice who shall be called on and applied to by the proprietor or manager of any plantation for that purpose, shall repair to such plantation, being within his district, there to take cognizance of such case or cases as shall be brought before him: provided nevertheless, that such special justice shall not be compelled to repair to any such plantation, or attend any such call or application, unless three or more apprenticed labourers shall be implicated in the charge or accusation preferred against them by the proprietor or manager of such plantation, and unless such charge shall be of a serious nature, and made or supported on oath before such special justice by any such proprietor or manager, or some credible witness or witnesses.

Clause 43. Special justices to keep journals of their proceedings.

And be it further enacted, that every such special justice of the peace shall keep a journal of all the cases brought before him, in which he shall enter, 1stly, the date of the complaint; 2dly, the name of the complainant; 3dly, the substance of the complaint; 4thly, the names of the witnesses adduced on either side; 5thly, the substance of the evidence; 6thly, his decision on the case; 7thly, whether the decision has been carried into effect; 8thly, any general remarks which he may think desirable; and all such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor and Council.

Clause 44. Duplicate of journals to be transmitted to the Governor and Council quarterly.

And be it further enacted, that at the end of each quarter every special justice of the peace shall transmit to the Governor and Council a duplicate of his journal for the preceding quarter, with an affidavit thereof annexed, to the effect that it has been faithfully kept, and that with the exception of unintentional errors it contains a true account of all the proceedings in which the deponent has been engaged as such special justice during the quarter to which it refers; and until the Governor and Council shall have actually received the duplicate

cate journal so verified, such special justice shall not be entitled to receive his salary for that quarter.

Clause 45. Complaints to be reduced to writing by the special justices.

And be it further enacted, that on receiving any complaint it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over to the complainant, by whom it shall be then subscribed; and if the complaint shall appear to such justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true according to his information, if the person making the complaint be not a witness himself; after which the said special justice shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require, which warrant of arrest shall be in the form annexed, marked (E.), and which summons is in the form annexed, marked (F.)

And they are to issue warrants of arrest or summons.

Clause 46. Warrant of arrest to be issued in capital or transportable offences.

And be it further enacted, that such warrant of arrest shall be issued in all cases in which the party is charged with a capital or transportable offence, in all cases where there is reason to apprehend that the party charged would endeavour to escape, and in all cases where there is reason to apprehend danger to the public peace from delay, and in all other cases such special justice shall proceed in the first instance by summons.

Clause 47. Summons of witnesses to be issued.

And be it further enacted, that in all cases in which it may be necessary to adduce witnesses in support of or in answer to any such complaint, the said special justices shall issue a summons for the attendance of witnesses in the annexed form, marked (G.)

Clause 48. Manner of proceeding on complaints.

And be it further enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, such special justice shall in the presence of all parties first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by such witness.

Clause 49. May adjourn and commit party charged;

or take bail.

And be it further enacted, that such special justice may from time to time adjourn any such proceedings for further inquiry, and if he has reason to apprehend that the party or parties charged will escape, may commit him, her or them to custody, pending such adjournment, or take bail for his, her or their appearance; and every such commitment or bail-bond shall be in the annexed forms marked (H.) and (I.)

Clause 50. Judgment to be in writing.

And be it further enacted, that at the close of such proceedings the said special justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand, by which decision he shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any compromise between the parties he may think just, or convict the party or parties charged, or commit him, her or them to prison to take his, her or their trial for any felony or capital offence imputed to him, her or them.

Clause 51. When complaint be dismissed, the cause to be stated.

And be it further enacted, that if such complaint shall be dismissed, the said special justice shall in such his written decision state whether it was dismissed as being unproved, or as being frivolous, or as being vexatious and malicious.

Clause 52. Liabilities of apprentices for preferring vexatious complaints;

and on employers for doing the like.

And be it further enacted, that if any complaint shall be dismissed as being vexatious and malicious, the said special justice may adjudge the complainant, if an apprenticed labourer, to work in the service of his or her employer or employers for any number of extra days; provided that the time of extra work in any one week shall not exceed nine hours, or to imprisonment with hard labour for any time not exceeding one month, or to solitary confinement not exceeding one week, or to whipping not exceeding 20 stripes if a male; and if the employer of any apprenticed labourer be the complainant, to a fine not exceeding 40 s., for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, malicious prosecution or otherwise, in respect of such his or her complaint.

Clause 53. Form of conviction.

Of commitment.

Of execution.

And be it further enacted, that if the special justice by such his decision convict the party charged, or convict the complainant of preferring a vexatious and malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (K.) and (L.); and if such special justice shall commit the party charged to take his trial for any imputed felony or capital offence, such commitment shall be drawn up in the form annexed, marked (M.), and upon any such conviction as aforesaid of any apprenticed labourer, such special justice shall issue a warrant for the execution thereof, which warrant shall be in the form annexed, marked (N.)

Clause 54. Process to be executed by police officer of district or other person.

And be it further enacted, that all summonses, warrants, commitments and other orders so to be issued by such special justice as aforesaid, shall be executed by the police officers of his district; provided nevertheless, that such special justice is hereby authorized, as occasion may require, to address the same to any other person or persons jointly with or instead of such officers of police as to him may seem requisite; and any summons, warrant, writ or order issued by any such special justice within his own district, may without any further authority be carried into execution in any part of this Island though beyond the limits of such district.

Clause 55. Mode of compelling the attendance of apprentices as witnesses.

And whereas, as well to discourage the bringing of frivolous, vexatious and malicious complaints, actions and prosecutions, as in some measure to indemnify the employers of apprenticed labourers for the loss of their services, and apprenticed labourers for the loss of their extra time where such apprenticed labourers shall be summoned as witnesses; be it enacted, that no summons for an apprenticed labourer shall be considered as duly executed, unless at the time of summoning such apprenticed labourer notice of summons be left with the proprietor of the plantation or estate to which such apprenticed labourer is attached, or on which he or she shall be employed, or with the person or persons entitled to the services of such apprenticed labourer, or with his or her manager or representative; and along with such notice, if the summons be at the suit, or on the prosecution or complaint of any other person than an apprenticed labourer, shall be left the sum of 1*s.* 6$\frac{3}{4}$*d.* in respect of every apprenticed labourer so summoned, for the use of the person or persons entitled to the services of the apprenticed labourer summoned; and in case such summons shall require the attendance of any such apprenticed labourer out of the district to which he or she belongs, then at the time of leaving such notice as aforesaid there shall be left the sum of 2*s.* 6*d.* for each and every such apprenticed labourer so summoned, for the use of the person or persons aforesaid; and in case such summons shall be for the attendance of any prædial apprenticed labourer as a witness on any day during which such apprenticed labourer shall be entitled to his or her own earnings, then such summons shall not be considered as duly executed, unless at the time of leaving such summons the person executing the same shall, if the attendance of such apprenticed labourer as a witness be required within the district to which he or she belongs, leave with or for the use of such apprenticed labourer the sum of 1*s.* 6$\frac{3}{4}$*d.*; and if the attendance of such apprenticed labourer be required by such summons out of such district, the sum of 2*s.* 6*d.* shall be left; and in case such summons shall require the attendance of such apprenticed labourer out of his or her district, at the suit or on the prosecution or complaint of any other apprenticed labourer, then there shall be left with such notice as aforesaid the sum of 1*s.* 6$\frac{3}{4}$*d.* for the use of the person or persons so entitled as aforesaid to the services of such summoned apprenticed labourer, or for the use of the apprenticed labourer summoned, in case he or she shall be summoned on any day to which he or she shall be entitled to the earnings of his or her labour, or otherwise such summons shall not be considered as duly executed: provided nevertheless, that nothing in this enactment contained shall extend or be construed to extend to any case where any person or persons whomsoever shall be summoned as a witness on the inquiry or trial of any felony or capital crime; and the officer who shall be entrusted with the execution of such summons shall make a return thereof, and the manner of executing the same, on oath before the special justice of the peace who shall have issued such summons, before any process shall issue against any person or persons for disobeying any such summons.

Clause 56. Penalty on witnesses for disobeying a summons;

And be it further enacted, that if any person shall be duly summoned by the authority of any such special justice of the peace, not being an apprenticed labourer, as a witness, and shall not appear in obedience to such summons, he or she shall incur a fine not exceeding the sum of 40*s.* current money of this Island, to be paid into the public treasury, to be adjudged by such special justice of the peace, unless it shall appear to such special justice at or within five days after the time specified in such summons for the appearance of such person as a witness, that the party summoned was prevented by illness or other reasonable cause, to be admitted by such special justice; and if such person be an apprenticed labourer, and unable to pay the fine, he or she shall be subject to confinement, with hard labour or solitary confinement for any time not exceeding a week, or to whipping, if a male, not exceeding 20 stripes; and if any person so summoned, and appearing in obedience to such summons, shall refuse to be sworn or examined, or to answer any question proposed to him or her by such special justice in relation to the matters pending before him, which question such person would be compelled to answer in any court of record, it shall be lawful for such special justice to commit such offender to prison in any place of confinement within the district of such special justice, or in the common gaol, there to remain in close custody until he or she shall submit to be sworn and examined, and to make such answer as aforesaid, and every such warrant of arrest or commitment shall be in the form annexed, marked (O.)

or refusing to answer questions.

Clause 57. Forms of proceedings may be altered by the Governor and Council.

And be it further enacted, that if it shall be made to appear to the satisfaction of the Governor and Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the said districts, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with the advice of his Council, shall and he is hereby authorized to suspend any of the preceding rules, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law, and for that purpose to issue a proclamation, which shall be transmitted for His Majesty's confirmation, and which until disallowed shall be in full force.

Clause 58. Penalty on apprenticed labourers absenting themselves.

And whereas it is necessary to provide penalties and punishments for the non-performance of their duties by apprenticed labourers towards their employers, be it therefore enacted, that every apprenticed labourer who shall absent himself or herself from his or her employer's service without the leave of his or her employer or employers, or of some other person acting in his, her or their behalf, unless taken suddenly ill during any extra time such apprenticed labourer may be entitled to and out of any plantation, estate or place to which he or she is attached, or on which he or she shall be employed, and of which illness the earliest notice shall be conveyed to his or her employer; or unless he or she shall report himself or herself sick or ill, and shall be actually in the hospital or sick-house on the plantation, estate

or place to which he or she is attached, or unless he or she shall be compelled by any legal process to attend before any court or justice of the peace, such apprenticed labourer shall be compelled to serve his or her employer two extra hours for every hour he or she shall be absent without such leave or cause, or he or she shall be punished by confinement with hard labour, or solitary confinement not exceeding three days for the first offence, and for the second or any subsequent offence by any increase of the aforesaid punishments not exceeding a month's confinement with hard labour, or solitary confinement not exceeding one week, or if a male, by whipping not exceeding 20 stripes.

Clause 59. Apprentices to make good the loss of time.

And be it further enacted, that every apprenticed labourer shall make good out of his or her extra days to his or her employer the time that his or her employer shall have been deprived of his or her services by the sentence of any special justice of the peace or court.

Clause 60. Deserter.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for more than nine hours in any one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a deserter.

Clause 61. Vagabond.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for two days during one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a vagabond.

Clause 62. Runaway.

And be it further enacted, that if any apprenticed labourer shall absent himself or herself without such leave or cause as aforesaid for five days in any one week, he or she, on conviction thereof before the special justice of the peace of the district to which he or she shall belong, shall be adjudged a runaway.

Clause 63. Punishment of deserters, vagabonds or runaways.

And be it further enacted, that every apprenticed labourer adjuged a deserter shall be sentenced by such special justice as aforesaid to confinement with hard labour, or solitary confinement for any time not exceeding one week; every apprenticed labourer adjudged a vagabond shall be sentenced by such special justice as aforesaid to confinement with hard labour for any time not exceeding two weeks, or solitary confinement not exceeding 10 days, and to any number of stripes not exceeding 15, if a male; and every apprenticed labourer adjudged a runaway shall be sentenced by such special justice as aforesaid, to confinement with hard labour for any time not exceeding one month, or solitary confinement not exceeding 14 days, and to any number of stripes not exceeding 30, if a male: and in all cases of wilful absence, apprenticed labourers shall not be entitled to their allowances of food for the time they shall be absent from their employer's service.

Clause 64. Prolongation of apprenticeship for absence from employer's service.

Provided nevertheless, and be it further enacted, that if any apprenticed labourer shall during his or her apprenticeship wilfully absent himself or herself from the service of his or her employer, it shall and may be lawful for the special justice of the peace of the district to which such apprenticed labourer shall or may belong, and such special justice is hereby required and directed, on conviction of such apprenticed labourer, to adjudge him or her either to serve his or her employer after the expiration of his or her apprenticeship for so long a time as he or she shall have absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); but nevertheless, so that such extra services or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

Not to exceed seven years.

Clause 65. Punishment of apprentices for performing work indolently, carelessly or negligently.

And be it further enacted, that if any apprenticed labourer shall be convicted of performing his or her work indolently, carelessly or negligently, he or she shall for the first offence be adjudged to labour in his or her employer's service for any number of extra days, or to confinement with hard labour, or solitary confinement not exceeding three days; for the second offence, he or she shall be adjudged to labour in his or her employer's service as aforesaid, or to confinement with hard labour or solitary confinement for any time not exceeding one week, or to whipping, not exceeding 12 stripes, if a male; for the third or any subsequent offence he or she shall be adjudged to labour in his or her employer's service as aforesaid, or to confinement with hard labour for any time not exceeding one fortnight, or solitary confinement not exceeding 10 days, or with whipping, not exceeding 20 stripes, if a male: provided nevertheless, that if there shall have been an interval of one month between the commission of the said offences, the offender shall only be liable to be punished as for a first offence; and if such apprenticed labourer be a watchman or a cattle-keeper, he shall be adjudged to make good any damage that the crops or cattle or property under his charge shall have received by his negligence or misconduct, or he shall be punished for the first offence by whipping, not exceeding 30 stripes, and for the second and every subsequent offence by confinement with hard labour, or solitary confinement not exceeding one month.

Clause 66. Punishment of apprentices for endangering or injuring property by the careless use of fire, or ill-using cattle, or exposing their employers' property to danger.

And be it further enacted, that if any apprenticed labourer by the careless use of fire shall injure or endanger the property of his or her employer or employers, or of any other person or persons, or shall wilfully or wantonly injure any growing crop, tree or other property of his or her employer or employers, or shall ill-use or injure any horse, mule, ass, cattle or other live stock of his or her employer or employers, or shall negligently or wilfully expose the property of his or her employer or employers to any damage or injury, such apprenticed labourer

labourer shall for every such offence be adjudged, in the discretion of the special justice of the peace before whom he or she shall be convicted, either to extra labour in his or her employer's service for any number of extra days, or to confinement with hard labour for any time not exceeding one month, or solitary confinement not exceeding 10 days; and if a male to any number of stripes not exceeding 30, or to any two or more of such punishments: provided nevertheless, that this enactment shall not exempt any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or committed: provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

Not exempt from the general law.

Clause 67. Punishment of apprentices for drunkenness, disobedience and other misconduct.

And be it further enacted, that if any apprenticed labourer shall be in a state of drunkenness, or shall be found fighting, quarrelling, using obscene language, cockfighting or gaming, or shall conduct himself or herself in an insolent or insubordinate manner towards his or her employer, or towards any person in the superintendence of his or her labour, or shall contumaciously disobey the lawful commands of his or her employer, or any person in the superintendence of his or her labour, he or she shall for every such offence be liable on conviction to imprisonment with hard labour for any time not exceeding one month, or solitary confinement not exceeding 14 days, or to whipping, not exceeding 20 stripes, if a male, or to any two or more of such punishments; and if any apprenticed labourer shall assault or strike his or her master, mistress or employer, or any person in the immediate superintendence of his or her labour, he or she shall on conviction thereof be liable to imprisonment with hard labour for any time not exceeding 12 months, or solitary confinement not exceeding three months, or to whipping, if a male, not exceeding 39 stripes: provided nevertheless, that this enactment shall not exempt any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or committed: provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

Not exempt from the general law.

Clause 68. Punishment for three or more apprentices combining together to resist the employer's commands.

And be it further enacted, that if any three or more apprenticed labourers shall agree together to make any resistance to the lawful commands of their employer or employers, or of any other person or persons acting under the authority of such employer or employers, they shall be deemed guilty of an unlawful conspiracy, and on conviction shall be sentenced to confinement with hard labour for any period not exceeding six months, or solitary confinement not exceeding six weeks, with whipping, not exceeding 39 stripes, if males; and any three or more apprenticed labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer or employers, or other person or persons acting under the authority of such employer or employers, shall on conviction be adjudged to the punishments last aforesaid, or to any one of them: provided nevertheless, that any or either of the aforesaid punishments may, at the discretion of the special justice of the peace before whom such conviction shall take place, be commuted for labour, to be performed in the service of his or her employer or employers by such apprenticed labourers, or any or either of them, out of his or her extra hours, in the manner hereinbefore by this Act provided with respect to extra hours.

Clause 69. Apprentices not to be adjudged to work more than nine extra hours in a week in employer's service as a punishment.

And be it further enacted, that it shall not be lawful for any special justice of the peace to adjudge any apprenticed labourer to perform any extra work in his or her employer's service for more than nine hours in any one week; and that for every extra day that any apprenticed labourer shall be adjudged to labour for the benefit of his or her employer, such apprenticed labourer shall be bound to work nine hours in the service of his or her employer, and no longer.

Clause 70. Special justices only to have power to punish apprentices.

Females not to be punished by whipping.

Subject to the operation of the general law.

And be it further enacted, that nothing in this Act contained shall authorize or be construed to authorize any person or persons other than the justices of the peace holding any such special commissions as hereinafter mentioned, to punish any apprenticed labourer for any offence by him or her committed or alleged to have been committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatsoever, or by any addition to the hours of labour hereinbefore limited, nor to authorize any justices of the peace holding such special commission as aforesaid to punish any apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained doth or shall exempt any apprenticed labourer from the operation of any law or police regulation, which is or shall be in force for the prevention or punishment of any offence, such law or police regulation being in force against and applicable to other persons of free condition.

Clause 71. Apprentices not to acquire an interest in any lands or dwellings which they may occupy during their apprenticeship.

And whereas many persons during their state of slavery, by the permission and sufferance of the proprietors of plantations, lands or houses, have occupied or may occupy divers parcels of land, and divers dwellings or buildings belonging to such proprietors, which said parcels of land and which said dwellings and buildings are the property of such proprietors: and whereas it is expedient to make provision in respect of any such lands, dwellings and buildings as may continue to be occupied, or of any other lands, dwellings or buildings which may be occupied by any person or persons during their state of apprenticeship; be it therefore enacted, that no apprenticed labourer shall be entitled to have or claim any interest whatsoever in or to any such lands, dwellings or buildings which he or she shall continue to occupy or shall occupy during his or her state of apprenticeship, by the permission and sufferance

ance of his or her employer or employers; and all such lands, dwellings and buildings are hereby declared to belong to the owners or proprietors of the plantations or estates of which they form a part, or to the owners of the lands, dwellings or buildings by whose permission or sufferance any such lands, dwellings or buildings may have been occupied; and all and every such apprenticed labourer or labourers occupying such lands, dwellings or buildings, are hereby declared to be tenants at will, and removable at the pleasure of his, her or their landlord or landlords: provided nevertheless, and be it further enacted by the authority aforesaid, that where any apprenticed labourer shall by the permission or sufferance of such landlord or landlords have planted any crop or crops on such lands, he or she shall be allowed a reasonable time, not exceeding six months, to reap the same for his or her benefit.

To be considered as tenants at will.

But allowed to reap their crops.

Clause 72.
Special justices to dispossess apprentices who refuse to deliver up lands or buildings to their employers.

And be it further enacted, that if any apprenticed labourer, being such tenant or occupant, shall refuse to quit and deliver up peaceable possession of any such lands, dwellings or buildings to his or her landlord or landlords, or to any person acting on his, her or their behalf, it shall be lawful for the special justice of the peace of the district where such lands, dwellings or buildings lie, and he is hereby required on the complaint of any landlord or landlords, or any person acting on his, her or their behalf, to dispossess such labourer from such land, dwellings or buildings, and to adjudge such apprenticed labourer to imprisonment with hard labour, or to solitary confinement, for any time not less than three days and not exceeding one week, or to labour in his, her or their employers' service for any number of extra days: provided nevertheless, that any employer requiring any such apprenticed labourer to quit any such dwelling or building shall at the same time provide some other place of lodging, as by this Act prescribed for such apprenticed labourer.

Employers to furnish other places of lodging.

Clause 73.
Apprentices refusing, after expiration of apprenticeship, to quit and deliver up the lands and buildings occupied by them, to be considered forcible detainers.

And be it further enacted, that if after the expiration or other determination of the term of apprenticeship of any apprenticed labourer, he or she shall refuse to quit and deliver up possession of any land, dwelling or building which he or she shall have been permitted or suffered to occupy during his or her state of apprenticeship, to his or her landlord or landlords, or to any person or persons acting on his, her or their behalf, every such person shall be deemed and considered a forcible detainer of such land, dwelling or building, and shall be subject and liable to the same penalties as any other person of free condition is liable by the laws of this Island, for making a forcible entry or detainer.

Clause 74.
When five or more apprentices are confined in a house of correction, they may be employed in repairing the public roads.

And be it further enacted, that at any time there shall be five or more apprenticed labourers in any house of correction, who may have been sentenced to confinement with hard labour, it shall and may be lawful for the nearest special justice of the peace to such house of correction to cause such five or more apprenticed labourers to be employed in repairing the highways, or any other public works in their district, under the discretion of such police officer or officers as such justice shall think proper; and such justice shall be and he is hereby authorized to direct such means to be taken by such police officer or officers to prevent the escape of such apprenticed labourers as he shall think proper.

Clause 75.
Apprentices may be worked on the treadmill.

And be it further enacted, that it shall and may be lawful for any special justice, and he is hereby authorized and empowered to substitute any given number of hours of work on the treadmill in the town-hall, or any other treadmill that may hereafter be erected in any of the districts of this Island, for any of the punishments imposed by this Act on apprenticed labourers, as he in his discretion shall consider necessary and proper.

Clause 76.
Penalties on employers for breach of duty to their apprentices.

And whereas it is necessary to provide penalties for the non-performance of their duties by employers towards their apprenticed labourers; be it therefore further enacted, that if any employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by this Act allowed for that purpose, he or she shall forfeit, for the benefit of such labourer, the sum of 1*s.*, in respect of every hour which such service shall be so protracted.

Clause 77.
Signals to be made for the commencement and close of labour by apprentices.

And be it further enacted, that it shall be the duty of every such employer to intimate to the labourers in his employment the commencement and close of the legal hours of labour, by the usual mode of ringing a bell, or sounding a shell or horn, or any other signal, which signal shall be always of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of such person.

Clause 78.
Apprentices not bound to undertake task work, unless the majority of the gang consent.

And be it further enacted, that no apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as is hereinafter excepted: provided always nevertheless, and be it enacted, that if the majority of any prædial apprenticed labourers attached to any plantation or estate shall be willing, in the distribution or apportionment amongst the whole body of such labourers on such plantation or estate, to undertake any task-work upon such plantation or estate, any contract made between the employer or employers of such labourers, or any person acting on his, her or their behalf, and the majority of such labourers as aforesaid, shall be binding on the minority, in the same manner as if the whole body had willingly entered into such contract.

Clause 79.
Contract for task-wor to be entered in a bo for the inspection of the special justice.

And be it further enacted, that every contract entered into between any employer or employers and any prædial apprenticed labourer for the performance of any specific work, as a task, and in lieu of the prescribed weekly labour, or for the performance of any labour in extra hours, shall, by such employer, be reduced into writing, and entered in a book to be kept for that purpose on the plantation or place, which book the special justice of the district may inspect as often as he may think proper.

Clause 80. Contract for services between employer and apprentices not binding beyond 14 days, unless approved by the special justice.

And be it further enacted, that no contract between any employer and any prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties, in the presence or with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall, by such special justice, be attested under his hand in the book so kept as aforesaid; and it is hereby declared, that it shall be the duty of the special justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily.

Clause 81. Contract for services to be distinctly expressed, and not to be binding for more than one year.

And be it further enacted, that in every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed, and no such contract shall continue in force for more than one year from the day of the date thereof.

Clause 82. Apprentices may receive wages for task-work or extra services before special justices.

And be it further enacted, that on proof being made, to the satisfaction of such special justice, of the performance of any such task-work or extra service, and the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to give judgment against the employer or employers of such prædial apprenticed labourer, for the amount of such consideration, if a money consideration, or the value in money, if any other than a money consideration; and if the same shall not be paid within one week next after such judgment, to issue execution for the recovery of the same, as in the case of servants' wages in the form annexed, marked (P.), and which execution shall be executed by the serjeant of police of the district, or by a constable, by attaching the goods and chattels, or in default of those, the lands or houses of the defendant or defendants, and selling the same, and applying the proceeds thereof in the same manner as a constable, acting under the authority of a justice of the peace for the body of the Island, is authorized to sell and dispose of goods and chattels, or lands and houses, attached for servants' wages; and such serjeant shall be entitled to the same fees, to be paid out of the proceeds of the property attached, as such constable is entitled.

Clause 83. Apprentices competent witnesses to recover their wages, in the absence of other proof, or refusal of defendant to be examined.

Provided always nevertheless, and be it further enacted, that for the want of sufficient other evidence on the part and behalf of any complainant or complainants, for the non-payment of any wages due for extra service or task-work, to substantiate his, her or their contract, or for the performance thereof, it shall and may be lawful for such special justice to examine the defendant or defendants on oath; and in case the defendant or defendants shall not attend the hearing of such complaint, after being duly summoned for such purpose, or in case he or she shall refuse to be examined, then such justice is hereby authorized to examine the complainant or complainants on oath, which shall be considered as good and legal evidence in support of any such complaint.

Clause 84. Liabilities of apprentices for violating contracts entered into for performance of task-work or extra services.

And be it further enacted, that if any apprenticed labourer shall violate the terms of such contract as aforesaid for task-work, or for extra service, he or she shall be liable to the same pains and penalties as are before provided in respect of the violation by such labourer of the duties by him or her to be performed in the discharge of the services owing by him or her by law to his or her employer: provided nevertheless, that no apprenticed labourer shall be liable to such pains and penalties for the non-performance of any task-work or services performed during his or her extra hours in the service of any stranger or strangers, or person or persons not entitled by law to his or her services, which may prejudice the person or persons entitled by law to his or her services.

Clause 85. Female married apprentices, and apprentices of 12 years and upwards, competent to contract for task-work, &c.

And be it further enacted, that every married female apprenticed labourer, notwithstanding her coverture, and every child of 12 years and upwards, notwithstanding his or her infancy, shall be competent to enter into such contracts as aforesaid, for task-work or for extra services.

Clause 86. Penalties on employers for beating or punishing apprenticed labourers.

And be it further enacted, that if any employer of any apprenticed labourer shall whip, beat or imprison, or shall otherwise subject to any other bodily punishment any apprenticed labourer, such employer shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5*l.*; and in default of payment thereof, or sufficient effects to satisfy the same within 14 days, such justice may sentence such offender to imprisonment for any time not exceeding one month in the common gaol of this Island, unless the fine be sooner paid.

Clause 87. Apprentices may appeal to special justices against their employers, or proceed against them under the general law.

Provided nevertheless, and be it further enacted, that in any such case as last aforesaid it shall be competent to any apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action as in the case of any other free person for damages for any such battery, imprisonment or corporal punishment as aforesaid; and it shall also be competent to any such special justice, if he shall see occasion, to abstain from imposing such penalty as aforesaid, and to bind over, or to commit for the want of bail, the offender, to take his or her trial at the court of grand sessions, in such manner as any other justice of the peace is authorized in the case of any other free person.

And

Clause 88. Apprentices to be discharged from apprenticeship, if improperly treated by their employers.

And be it enacted, that if any person or persons, entitled under the second clause of this Act to the services of any apprenticed labourer, shall be convicted before any court of competent jurisdiction of any cruelty towards his or her apprenticed labourer, or if any such person shall be twice convicted of inflicting any corporal punishment upon the person of such labourer, then such labourer shall be discharged from his or her apprenticeship by order of the court before which such conviction shall be had.

Clause 89. Apprentices to be at liberty to resort to a special justice to complain; but not to go without a pass, unless it be refused.

And be it further enacted, that every apprenticed labourer shall be allowed to resort to the special justice of the district to which he or she belongs, for the purpose of laying before him any complaint against his or her employer, or person having the superintendence of his or her labour: provided that no such apprenticed labourer shall be at liberty to resort to any special justice on any day to which his or her employer shall be entitled to his or her services, without a pass from his or her employer, or the person in the immediate superintendence of his or her labour, unless such apprenticed labourer shall first have applied for such pass, and been refused; and any such apprenticed labourer resorting to such special justice without a pass, unless the same hath been refused, shall be considered as absent from his or her employer's service without leave, and liable to be punished accordingly.

Clause 90. Limitation for bringing complaints.

And be it further enacted, that all complaints which shall be brought either by any employer or by any apprenticed labourer for the recovery of any fine or penalty, or in respect of any of the offences hereinbefore mentioned, shall be brought and made before the special justice of the peace having jurisdiction thereof, and entered in the book of such special justice within one month next after the cause of such complaint.

Clause 91. Provision for extending the time of bringing complaints.

Provided also, that if any apprenticed labourer shall be hindered by any forcible means to be used by any such employer, or by his or her agency, from making any such complaint within the time aforesaid, that in every such case such complaint may be made within 14 days after the ceasing of such forcible means; and it shall not be competent for any such special justice of the peace to entertain any complaint as aforesaid which shall not be commenced and made within the time hereinbefore limited: provided nevertheless, that such limitation shall not extend to any case of felony.

Clause 92. Limitation for recovery of wages.

And be it further enacted, that all complaints which shall be brought for the recovery of wages, or the recovery of money, or other consideration for the performance of any task-work or extra service, shall be commenced within 12 months next after the same shall become due: provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to any promissory note or other acknowledgment in writing, whereby the amount due in respect of any such wages or contract shall be ascertained and expressed.

Clause 93. Proceedings to be observed towards apprentices, and their responsibilities, in cases of riot.

And whereas, it is expedient to make special provision for the punishment of certain offences which may be committed by apprenticed labourers against the state; be it therefore enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace, acting either under the general commission or by any special commission of the peace, who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited, as a warning to all persons to separate and disperse quietly; and all apprenticed labourers who at the expiration of 10 minutes from the exhibition of such flag or signal shall continue present at any such riotous assemblage, shall be bound over to the court of grand sessions, and for want of bail committed to the common gaol to take his or her trial, and on conviction shall be liable to imprisonment, with hard labour, for any time not exceeding 12 months.

Clause 94. How to act in cases of riot.

And be it further enacted, that the police of the district, or of any adjoining district, shall, on requisition for that purpose, repair to the spot where such riotous or tumultuous assemblage shall take place, and (act) as they shall be directed by any justice of the peace as aforesaid.

Clause 95. Apprentices found beyond the limits of their district, except in certain cases, to be adjudged vagabonds. Proviso.

And be it further enacted, that every apprenticed labourer found beyond the limits of his or her district, except on Saturday, or with a written pass from his or her employer, or on Sunday, Christmas-day or Good Friday, in his or her way to and from some place of public worship, shall be liable to be apprehended and detained, and shall on conviction be adjudged a vagabond, and punished accordingly: provided always, that nothing herein contained shall be construed to prevent the apprehension of any apprenticed labourer running away, or for any other offence (for) which he or she may be liable to be apprehended on either of the aforesaid excepted days.

Clause 96. Apprentices establishing themselves in any part of the Island as a separate community, to be dislodged by the police of the district. The militia to be aiding therein, if requisite.

And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice of the peace that any apprenticed labourers have, without lawful authority, established themselves in any part of the Island as a distinct community, habitually abandoning and neglecting to perform the duties imposed on them by law, such justice of the peace shall cause any such community to be dislodged by the police of the district, and if necessary, shall also cause their habitations to be taken down and removed; and all officers and privates of the colonial militia, if required, shall be aiding in carrying into effect any directions of any such special justice of the peace for dislodging any such community as aforesaid.

Clause 97. Punishment of apprentices members of any such community.

And be it further enacted, that any apprenticed labourer who shall be convicted before such special justice of the peace of having been a member of any such community as aforesaid, shall be adjudged to imprisonment, with hard labour, for any term not exceeding 12 months; and if a male, to whipping, not exceeding 39 stripes.

Clause 98.
Apprentices not to quit the Island without the Governor's passport and the employer's sanction.
Penalty on the secretary of the Island for issuing a passport without the employer's consent.

And be it further enacted, that no apprenticed labourer shall quit the Island without a ticket from the secretary's office of this Island, which ticket shall not be issued by the secretary, except with the written consent of the employer of such apprenticed labourer; and the secretary of the Island shall be liable to a penalty of 50*l.* for every ticket he shall issue to any apprenticed labourer without such consent, to be recovered as servants' wages, on complaint to any justice of the peace, to the use of the employer of such apprenticed labourer; and every apprenticed labourer quitting or attemping to quit the Island without such ticket, and his or her aiders and abettors, being apprenticed labourers, shall be liable, on conviction before the special justice of the district to which the apprenticed labourer who shall quit or attempt to quit the Island, shall belong, to imprisonment, with hard labour, for any term not exceeding six months; and if males, to whipping, not exceeding 39 stripes.

Clause 99.
Apprentices being fishermen or mariners, to be registered with the special justice.

And be it further enacted, that all persons whose ordinary occupation is on the sea, as fishermen or mariners, shall be registered as such at the office of the special justice of the district, and any apprenticed labourer engaging in such occupation without being first so registered, except with the consent of his employer, shall be liable to imprisonment, with hard labour, for any time not less than six weeks, and not exceeding three months.

Clause 100.
Penalty on persons removing apprentices without a passport.

And be it further enacted, that every person, not being an apprenticed labourer, who shall remove or assist in removing any apprenticed labourer from this Island in any boat or vessel without such ticket, shall, for every apprenticed labourer which such person shall remove or assist in removing, forfeit the sum of 50*l.* sterling money of Great Britain, to the use of the employer of such apprenticed labourer, to be recovered as servants' wages before any justice of the peace.

Clause 101.
Penalty on persons harbouring apprentices.

And be it further enacted, that if any person shall harbour, conceal or clandestinely or fraudulently employ any apprenticed labourer who may be absent from the service of his or her employer without leave, every such person so offending shall for every such offence, upon conviction thereof before any justice of the peace, in case the party complained against be not an apprenticed labourer, but if an apprenticed labourer, then before the special justice of the district, on the complaint of the employer or employers of such apprenticed labourers, be adjudged to pay, and shall pay to the person or persons entitled to the services of such apprenticed labourer, the sum of 10*l.* current money of this Island for each and every apprenticed labourer so harboured, concealed, or clandestinely or fraudulently employed; and the further sum of 10*s.* like current money per day for each and every such apprenticed labourer, for each and every day or part of a day such offender or offenders shall be proved to have so harboured, concealed, or clandestinely or fraudulently employed every such apprenticed labourer; and upon the hearing of any such complaint, it shall and may be lawful for such justice of the peace, and he is hereby authorized and empowered, if he shall see just cause, to examine the party complained against upon his or her oath touching the matter of such complaint; and in case the party accused, being legally summoned, and return thereof made on oath by the constable who shall have executed such summons, shall, without some reasonable cause, to be allowed of by such justice, fail to attend the hearing of such complaint, or attending shall refuse to be examined, the complaint shall be taken, *pro confesso*, if the complainant be not provided with other proof; and the justice shall give judgment thereon for the said sum of 10*l.* against such offender; provided nevertheless, that in any case where such complaint shall not be proved, except by evidence of the accused, such accused party shall only be liable to pay at the rate of 10*s.* per day as aforesaid for every day, or any part of a day, he or she shall have so harboured, concealed, clandestinely or fraudulently employed every such apprenticed labourer; and such justice is hereby required, if necessary, to issue either a search warrant for the apprehension of such apprenticed labourer, or a summons to the party accused requiring him or her to produce such apprenticed labourer at the time of hearing such complaint, in order that he or she may be delivered over to his or her employer; and on failure, unless it shall appear, on the oath of the party accused, that he or she cannot procure the attendance of such apprenticed labourer, such justice of the peace shall and he is hereby required to issue a warrant for the apprehension of every such apprenticed labourer, and for searching the premises of the person or persons convicted under this clause, or any other premises where there shall be reasonable grounds to believe that such apprenticed labourer is harboured or secreted; and such justice of the peace is hereby fully authorized to examine such persons on oath, or any other person or persons who may be able to discover where such apprenticed labourer is to be found; and on the apprehension of any such apprenticed labourer such constable is hereby required to deliver him or her over to a police officer of the district to which such apprenticed labourer belongs, to be dealt with according to law; and if the offender be an apprenticed labourer, and be unable to pay the penalties hereby imposed, such apprenticed labourer, if a male, to be liable to whipping, not exceeding 39 stripes, and if a female, to solitary confinement for any time not exceeding one month; and if the offender be a non-prædial female apprenticed labourer, to solitary confinement for so many days as she shall have been proved to have harboured, concealed, or clandestinely or fraudulently employed, every such apprenticed labourer, unless any such apprenticed labourer shall be able to make any other satisfaction to the injured party which such injured party shall be willing to receive: provided always, that nothing herein contained shall extend to the employing of any prædial apprenticed labourer on a Saturday, or on any other day to which such prædial apprenticed labourer shall be entitled to his or her earnings, unless the party employing shall have express and actual notice from the employer of any apprenticed labourer, or his representative, that such prædial

Search warrant may be issued for the apprehension of absent apprentices.

apprenticed

apprenticed labourer hath been adjudged to work on any such Saturday, or any other day as aforesaid, for the benefit of his or her employer or employers.

Clause 102. Apprentices not to serve in the militia or hold office under His Majesty, but eligible for certain minor situations.

And whereas the duties which apprenticed labourers owe to their employers render it necessary that they should be exempted from the performance of civil or military services, and be disqualified from holding civil or military offices, and from the enjoyment of political franchise, and that they should be exempted from being arrested or imprisoned for debt; be it therefore enacted, that no apprenticed labourer, during his apprenticeship, shall serve in the militia, or be compelled or competent to hold any office in His Majesty's service: provided nevertheless, that any apprenticed labourer may hold the office of beadle, parish clerk or the like within his district, or of petty constable on any plantation or place to which he is attached, so that the duties of such office do not interfere with those due to his employer: provided nevertheless, that nothing herein contained shall extend to absolve any apprenticed labourers from serving in any civil or military capacity to which they might be called by the Governor or Commander-in-chief of this Island, by and with the advice of his Council, in case of foreign invasion, rebellion or any other great public emergency.

Clause 103. Apprentices not to be arrested for debt, &c.

And be it further enacted, that no apprenticed labourer during his or her apprenticeship shall be arrested or imprisoned in any action of debt, assumpsit, covenant, detinue, account, case, trover, trespass, ejectment or other civil action whatsoever, nor shall any apprenticed labourer during his or her apprenticeship be liable to be arrested or taken in execution by virtue of any writ of execution obtained in any such action or actions, nor shall any apprenticed labourer be liable to be taken in execution for any debt or demands against his or her employer.

Clause 104. Punishment of apprentices for trespass or slander.

And whereas the exemption of such apprenticed labourers from arrest in such actions as aforesaid is for the benefit of their employers, but it is nevertheless expedient that in certain cases such apprenticed labourers should be subject to some summary punishment in lieu of such arrest; be it therefore enacted, that if any apprenticed labourer shall commit any trespass, or shall be guilty of uttering any slander, or of publishing any libel, he or she shall, on conviction thereof by the special justice of the district to which he or she shall belong, or by any competent court in this Island, be subject to imprisonment with hard labour for any time not exceeding three months, or solitary confinement not exceeding one month, and if the offender be a male, whipping, not exceeding 39 stripes, may, at the discretion of such justice, be substituted for imprisonment.

Clause 105. Apprentices not to keep fire-arms, ammunition or warlike instruments in their possessions.

And be it further enacted, that it shall not be lawful for any apprenticed labourer, without the consent of his or her employer, to have in his possession any fire-arms, ammunition or warlike weapons, and that it shall and may be lawful for any police officer or constable, at the request of any employer, to search the house or lodging of any apprenticed labourer within his district, for any fire-arms, ammunition, warlike weapons, stolen goods, deserters, vagabonds or runaways, which may be suspected to be concealed in such house or lodging; and it shall and may also be lawful for any special constable, to be appointed as hereinafter mentioned for and in respect of any plantation, by the direction of the proprietor of such plantation, or any person acting in his or her behalf, to search any such house or lodging of any such labourer on such plantation in which there shall be reason to believe that any fire-arms, warlike weapons, ammunition, stolen goods, deserters, vagabonds or runaways, shall be concealed or harboured, and to take possession of all such fire-arms, ammunition, warlike weapons, stolen goods, deserters, vagabonds and runaways, as shall be found in such house or lodgings, and to carry the same before the special justice of the district, to be dealt with according to law.

Clause 106. Fire-arms, ammunition, &c. found in possession of apprentices, to be sold by order of the special justice.

And be it further enacted, that such special justice shall cause all such fire-arms, ammunition and warlike weapons, found in the possession of any apprenticed labourer, to be sold, unless the same shall be claimed by some person from whom the same shall have been stolen, and the proceeds thereof paid into the public treasury of the Island.

Clause 107. The Governor may order the militia to search for deserters, warlike weapons or stolen goods.

And be it further enacted, that the Governor or Commander-in-chief of this Island for the the time being shall and may, by and with the advice of his Council, whenever it shall seem necessary, issue his order to the commanding officer of any regiment, battalion or corps of militia of this Island, directing and requiring him, at the time to be mentioned in such order, to have the houses of all the apprenticed labourers within the parish of such regiment, battalion or corps of militia, or any of them, searched diligently and effectually by the men comprising such regiment, battalion or corps, or by a sufficient number thereof necessary for such service, in order to discover and ascertain whether any such deserters, vagabonds or runaways, as aforesaid, or any fire-arms, ammunition or warlike weapons or stolen articles, are concealed in such houses, and to seize all such deserters, vagabonds and runaways, and commit them to the custody of some police officer of the district to which they belong, to be by such officer carried before the special justice of such district, to be dealt with according to law, and to deliver over all such fire-arms, ammunition or warlike weapons, to the treasurer of the Island, unless claimed by the owners thereof to be sold, and the money arising therefrom paid into the public treasury; and such commanding officer shall make his report forthwith to the Governor or Commander-in-chief of the Island for the time being, who is hereby authorized and empowered to act on such report, by and with the advice of his Council, as may seem best for the safety of the Island; and every commanding officer of any regiment, battalion or corps, refusing or neglecting to perform or discharge the duty so required of him by the Governor or Commander-in-chief, shall forfeit and pay the sum of

50 *l.* current money of this Island, to be recovered before any two justices of the peace, and levied and raised as in the case of servants' wages.

Clause 108. Special justices to exercise exclusive jurisdiction in all matters arising out of the relationship between employers and apprentices.

And whereas by an Act or Statute of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the fourth year of the reign of His Majesty King William the Fourth, it is, amongst other things, enacted, that it shall and may be lawful for His Majesty to issue or to authorize the Governor of any colony, in the name and in the behalf of His Majesty, to issue, under the public seal of any such colony, one or more special commission or commissions, to any one or more persons, constituting him or them a justice or justices of the peace for the whole of any such colony, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to the said Act or Statute, and to any laws made for carrying the same into effect; and it is also enacted in and by the said Act or Statute, that His Majesty shall be authorized to grant to any person or persons, not exceeding 100 in the whole, holding such special commission or commissions as aforesaid, and so from time to time, as vacancies may occur, salaries at and after a rate not exceeding in any case the sum of 300 *l.* sterling per annum; be it therefore enacted, that the several justices of the peace holding such special commissions who shall be appointed by His Majesty, or by the Governor or Commander-in-chief of this Island, by the authority of His Majesty, shall have exercise and enjoy a sole and exclusive jurisdiction, and shall solely and exclusively take cognizance of all offences committed, or alleged to have been committed, by any apprenticed labourer, or by his or her employer, in such their relation to each other, and of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services within the district for which any such special justice of the peace shall be appointed: provided nevertheless, that in case it shall happen that by death, absence or other cause, that any such district within this Island shall be without a special justice of the peace, or that the justice of the peace for any such district shall be prevented by continued illness from attending to his duties, then each of the nearest special justices of the peace to such district shall, and he and they are required severally to take cognizance of all such complaints and offences as shall be committed in the district, without any such special justice of the peace, or where the special justice of the peace, from illness, shall be unable to perform his duties; and each of such special justices shall have, and he is hereby declared to have the same powers and authorities which belonged to the justice of the peace appointed for such district: provided nevertheless, that nothing herein contained shall extend or be construed to extend, to abrogate or take away the powers by law vested in the court of grand sessions, or in the several courts of common pleas in this Island, or the right of appeal to the Governor and Council from any decision of any special justice of the peace by any person or persons who may feel themselves aggrieved thereby.

Apprentices subject to the general law, with right of appeal.

Clause 109. Special justices not to receive fees.

Provided nevertheless, and be it further enacted, that no special justice of the peace shall be entitled to have, receive or demand any fee or reward whatsoever for any act, matter or thing to be done by him touching or concerning the several matters aforesaid, other than except the salary granted by His Majesty.

Clause 110. Limitation of acting against justices.

And be it further enacted, by the authority aforesaid, that no action or suit shall be commenced against any justice of the peace, or any other person, for anything by him done by virtue or in pursuance of this Act, until 14 days' notice thereof in writing shall have been given to such special justice or other person, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, not after six calendar months next after the fact committed; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be held thereupon, and that the same was done in pursuance and by the authority of this Act, and if the same appear so to be done, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days' notice thereof, or after a sufficient satisfaction made or tendered as aforesaid, then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited, or suffer a discontinuance of his, her or their action or suit, or if a verdict pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants have or hath by law for the recovery of costs of suit in any other cases.

Clause 111. Apprenticed labourers may be appointed constables for the plantations to which they are attached.

And whereas it is expedient to provide for the preservation of the peace and good order on the several plantations and estates in this Island, be it therefore enacted, that on every plantation, estate or place in this Island, the special justice of the district in which every plantation, estate or place shall be situate, shall, with the consent of the proprietor or manager, appoint one or more of the steadiest and most trustworthy of such apprenticed labourers to act as a special constable or constables for one year on such plantation, estate or place, and every such special constable after his appointment shall, before entering upon his office, appear before the special justice of the district in which the plantation, estate or place to which he shall be attached is situate, and take the following oath:

"You shall well and truly serve our Sovereign Lord the King in the office of constable for the plantation, estate or place of for the year ensuing, to the best of your skil and knowledge. So help you God."

And

Clause 112. Plantation constables to exercise the powers of petty constables within the limits of their plantations.

And be it further enacted, that every such special constable shall be and he is hereby authorized to exercise all such powers within the bounds or limits of such plantation, estate or place, and the highways adjoining to or passing through the same, over all persons except his employer, or his or her representative, or the person having the superintendence of his or her apprenticed labourers, in as full and ample a manner to all intents and purposes as any petty constable is by the general law of the land authorized to exercise; and in all cases where the proprietor or manager of any such plantation, estate or place shall have cause of complaint against any apprenticed labourer attached to or employed on such plantation, estate or place, it shall and may be lawful for any such constable, and he is hereby authorized and required, at the request or by the direction of any such proprietor or manager to take such apprenticed labourer before the special justice of the district in which such plantation, estate or place is situated, in order that such complaint may be inquired into, heard and determined, notwithstanding no warrant of arrest or summons may have been issued by such special justice of the peace for the apprehension or appearance of such apprenticed labourer; and in case any apprenticed labourer shall be apprehended for desertion or shall have committed any offence which would subject such apprenticed labourer to confinement with hard labour for any time not exceeding a week, and such apprehension or the commission of any such offence as last aforesaid shall be at an unseasonable hour, or in case there shall not be time on that day to bring such apprenticed labourer before the special justice of the district at a seasonable hour, it shall be lawful for every such constable, under the direction of such proprietor or manager, to commit such apprenticed labourer to safe custody for the present, and on the following day to carry such offender before the special justice of the district; and any such constable may apprehend any person or persons found loitering on any such plantation, estate or place without the licence or permission of the proprietor or manager of such plantation, estate or place, and by the direction of any such proprietor or manager may carry such person or persons before any justice of the peace within the district, to be deal with according to law; and should such person or persons be apprehended at an unseasonable hour, may, under such direction as aforesaid, commit such person or persons to safe custody for the present until the following day, then to be taken before a justice of the peace as aforesaid; and if any person or persons shall be found trespassing on any plantation, estate or place, or the bye-roads passing through the same and belonging thereto, without the licence or permission of the proprietor or manager of such plantation, estate or place, after having been warned, or shall refuse to quit such plantation, estate or place when requested so to do by such proprietor or manager or by special constable, every such person shall incur a fine of not less than 5*s.* or more than 50*s.*, to be recovered before any justice of the peace residing in the district where such plantation, estate or place is situate, and in default of payment thereof may be sentenced to imprisonment, with or without hard labour, for any time not less than one week nor more than four weeks; and to prevent all disputes as to what roads shall be considered bye-roads belonging to such plantations, estates or places, it is hereby declared that all roads passing through such plantations, estates and places, and not a jury road, or not repaired at the public charge, shall be deemed and considered as belonging to the plantations, estates or places through which they pass, and any such constable refusing or neglecting to obey the direction or order of such proprietor or manager, on conviction thereof before the said special justice, shall be liable to be punished as for contumacious disobedience of the lawful commands of his employer.

Clause 113. The 52 Geo. 3, to be in force in this Island.

And be it further enacted, that a certain Act or Statute of the United Kingdom of Great Britain and Ireland, passed in the 52d year of the reign of His late Majesty King George the Third, intituled, "An Act to repeal certain Acts and amend other Acts relating to Religious Worship and Assemblies, and Persons Teaching and Preaching therein," shall and is hereby declared to be in full force and effect in this Island, to all intents and purposes whatsoever: provided nevertheless, and it is hereby also enacted and declared, that any two or more justices of the peace holding any such special commission as aforesaid, shall have, exercise and enjoy all and every the jurisdiction, powers and authorities in this Island, which by force and virtue of the said Act are within the realm of England had, exercised and enjoyed by the several justices of the peace, and by the general and quarter sessions therein mentioned.

Clause 114. Until houses of correction are established, apprentices, by the order of a special justice, may be confined in the domestic prisons on plantations.

And whereas, for the purpose of carrying the several enactments and provisions in this Act contained into complete force and effect, it will be necessary for the legislature of this Island to pass one or more Act or Acts for the erection of houses of correction in the aforesaid respective districts, and for the establishment of a police in each district: And whereas the difficulty of raising funds for the erection of such houses of correction may render it impossible to have them erected by the time this Act shall come into operation, and it is therefore necessary to make provision for the happening of such an event; be it therefore enacted, that in case such houses of correction shall not be completed and ready for the reception of prisoners on the 1st day of August 1834, it shall and may be lawful for the special justices of the peace aforesaid to inspect the domestic prisons on the respective plantations or estates within their respective districts, and if the same shall appear to be wholesome and proper places for the confinement of offenders against this Act, such special justices are hereby authorized and required, when it shall be necessary to adjudge any apprenticed labourer to confinement, to direct that he or she shall be confined in the prison or place of confinement belonging to the plantation or estate to which such apprenticed labourer shall be attached: provided always, that during the time any such apprenticed

labourer shall be confined in such prison or place of confinement, his or her employer shall provide proper and sufficient food for, and cause the same, in a dressed state, to be furnished to every such apprenticed labourer.

Clause 115. Mode of raising penalties.

And be it further enacted, that all fines, forfeitures or penalties awarded by any such special justice of the peace, or by any other justice of the peace, under any of the enactments or provisions of this Act, shall be levied and raised as in the case of servants' wages; and every such justice of the peace shall issue an execution or executions, under his hand and seal, directed to any constable or police-officer, for levying or raising of any such fine or fines, forfeiture or forfeitures, or penalties accordingly; and the constable and police levying any execution or executions under the authority of this Act, shall be entitled to demand and receive the like fees as the provost-marshal of the courts of common pleas within this Island is entitled to demand and receive on levying executions to him directed from the said courts.

Clause 116. Application of penalties.

And be it further enacted, that all fines, forfeitures and penalties which may be imposed on any offender or offenders by virtue of the several enactments and provisions of this Act, where the manner of applying the same is not otherwise particularly directed, shall, when levied and raised, be paid into the treasury of this Island, to and for the public use; and the treasurer of this island for the time being shall account with the committee of public accounts for all monies received by him by virtue of this Act in the same manner as he is required to do for any other of the public monies in his hands, and the said treasurer shall be allowed a commission of 10*s.* for every 100*l.* which he shall so receive.

Clause 117. Term Employer.

And be it further enacted, that the term employer shall be taken to mean either the person in whose immediate service any apprenticed labourer is or shall be employed, or the person or persons entitled to the service or services of such apprenticed labourer, whether acting by attorney, agent or manager, as may best give effect to the several enactments in this Act contained.

Clause 118. Who to be considered Governor.

And be it further enacted, that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Island shall be taken to be the Governor thereof.

Clause 119. Manner of trying offences committed by apprentices when slaves.

And be it further enacted, that all slaves who shall have committed any crimes, misdemeanors or offences, and shall not have been tried for the same previously to the 1st day of August 1834, shall be subject and liable to be tried for such crimes, misdemeanors or offences in the same manner, and be subject to the same pains and penalties as if they had been persons of free condition at the time such crimes, misdemeanors and offences were committed: provided nevertheless that in all cases where such offenders in their state of slavery would have been subject to have been tried and punished for the commission of such crimes, misdemeanors or offences, before one or more justice or justices of the peace, it shall and may be lawful to try such offenders, being apprenticed labourers, under this Act; and the special justice of the peace of the district may adjudge all such offenders, on conviction, to any of the punishments hereinbefore prescribed for the commission of any offence of the like nature, save and except that it shall not be lawful to sentence any such person to any prolongation of his or her apprenticeship for any offence by him or her committed previously to the 1st of August 1834.

Clause 120. Act reserved for His Majesty's pleasure.

Provided always, and be it further enacted, that this Act, or anything herein contained, shall not be in force until His Majesty's pleasure on the same shall be known.

The SCHEDULE to which the foregoing Act refers.

(A.)—FORM of Consent by two Special Justices to the removal of a Prædial Apprenticed Labourer attached.

"Barbadoes.—Whereas application hath been made to us by *A. B.*, of the parish of , in the Island aforesaid, esquire, for our consent to the removal of *C. D.*, his prædial attached apprenticed labourer, from the estate of the said *A. B.*, called situate in the parish of and Island abovesaid, to his estate called situated in the parish of and Island abovesaid; and we, having taken the said application into our consideration, and inquired into all the necessary circumstances, do hereby consent to the removal of the said *C. D.* accordingly. Given under our hands and seals this day of in the year .

(L.S.) "*E. F.*, S. J. P. for the district of
(L.S.) "*G. H.*, S. J. P. for the district of ."

(B.)—FORM of a Declaration to be delivered by a Proprietor, or his Manager, intending to maintain Apprenticed Labourers by Appropriation of Land.

"I, *A. B.*, of the parish of in the Island of Barbadoes, planter, do hereby declare, that for the present year I intend to maintain my prædial apprenticed labourers, named *C. D.* and *E. F.*, each being upwards of 16 years of age, by the appropriation of ground to be cultivated by them for their support. Witness my hand this day of in the year

(signed) "*A. B.*"

(C.)—FORM of Declaration to be delivered by a Master, Mistress or Employer intending to give a Day in a Fortnight in lieu of Fish and Clothing.

"I, *A. B.*, of the parish of in the Island of Barbadoes, do hereby declare that I intend to allow my apprenticed labourer named *C. D.*, of the age of 12 years and upwards, one day in every fortnight, exclusive of Saturday, during this present year, to provide himself with fish and clothing. Witness my hand this day of in the year ."

(signed) "*A. B.*"

(D.)—FORM of Indenture of Apprenticeship.

"THIS indenture, made the day of in the year of our Lord between *A. B.*, esq., special justice of the peace for the district of in the Island of Barbadoes, of the one part, and *C. D.*, of the parish of in the Island aforesaid, of the other part: Witnesseth that the said *A. B.*, as such special justice of the peace as aforesaid, hath put, placed and bound, and by these presents doth put, place and bind *E. F.*, of the age of years, an infant unprovided with an adequate maintenance, to be a prædial apprenticed labourer (*or* non-prædial, *as may be*), to the said *C. D.* until the said *E. F.* shall come to the age of 21 years, according to the Act or Statute of the said Island of Barbadoes, in such case made and provided. And the said *C. D.* for himself, his heirs, executors and administrators, doth hereby covenant, promise and agree to and with the said *A. B.* and his successors in the office of special justices of the peace for the said district, that he, the said *C. D.*, his heirs, executors and administrators, shall and will allow reasonable time and opportunity to the said *E. F.* for his religious education and instruction. In witness whereof the parties hereto have hereunto set their hands and seals, the day and year first within written.

(L.S.)

"Signed, sealed and delivered in the presence of (L.S.)"

(E.)—WARRANT of Arrest.

"BARBADOES.—To *A. B.*, or any other police officer of the district of Forasmuch as *C. D.*, of the parish of in the Island abovesaid, planter, hath this day made information and complaint upon oath before me, *J. P.*, esquire, one of His Majesty's special justices assigned to keep the peace for the district of in the Island aforesaid, that on the day of last past divers goods of him the said *C. D.*, to wit, [*specify them*], have feloniously been stolen, taken and carried away from the dwelling-house of him, the said *C. D.*, in the parish of in the Island aforesaid, and that he hath just cause to suspect and doth suspect that *E. F.*, his apprenticed labourer, feloniously did steal, take and carry away the same; these are therefore to command you forthwith to apprehend him the said *E. F.*, and bring him before me to answer unto the said information and complaint, and to be further dealt with according to law. Herein fail you not. Given under my hand and seal this day of in the year

(L.S.) (signed) "*J. P.*, S. J. P."

(F.)—SUMMONSES.

"BARBADOES.—To *A. B.*, police officer of the district of Whereas information and complaint hath been made before me *J. P.*, esquire, one of His Majesty's special justices of the peace assigned to keep the peace for the district of in the Island aforesaid, that *C. D.*, of apprenticed labourer, on or about day of and from that time until the day of now last past did absent himself without lawful cause from the service of *E. F.*, his employer, (*or whatever the cause of complaint may be*). These are therefore to require you forthwith to summon the said *C. D.* to appear before me at at the hour of in the noon of the same day, to answer to the said information and complaint, and to be further dealt with according to law; and be you then and there to certify what you shall have done in the premises. Hereof fail not. Given under my hand and seal the day of in the year

(L.S.) "*J. P.*, S. J. P."

(G.)—SUMMONS to a Witness.

"BARBADOES.—To *A. B.*, the witness. These are to require you to give your personal attendance at the hour of in the forenoon, or of in the afternoon, of the day of 18 at in the parish of then and there to be examined before me, as a witness touching a certain complaint depending before me on the behalf of *C. D.*, esquire, against *E. F.*, apprenticed labourer, on the part of the plaintiff. Hereof fail not. Given under my hand the day of 18

"*J. P.*, S. J. P. for the district of ."

(H.)—FORM of Commitment to the House of Correction during or before Trial.

"BARBADOES.—*J. P.*, esquire, special justice of the peace for the district of To *A. B.*, police-officer of the said district, and to the keeper of the house of correction for the same. These are to command you, the said *A. B.*, in His Majesty's name forthwith to convey and deliver to the custody of the said keeper of the house of correction the body of *C. D.*, apprenticed labourer, being charged before me with [*here set forth the offence*], and there being reason to apprehend his escape. And you, the said keeper, are hereby required to receive the said *C. D.* into your custody, and him there safely to keep until he shall be demanded by a police-officer of the said district, to be brought before me to answer to the said charge. Hereof fail not. Given under my hand the day of 18

"*J. P.*, S. J. P."

(I.)—FORM of Bail.

"BARBADOES.—Be it remembered that on the day of in the year 18 *A. B.* of planter, *C. D.* of planter, and *E. F.*, a merchant, came before me, *J. P.*, esquire, His Majesty's special justice of the peace for the district of in the Island abovesaid, and acknowledged themselves to owe to our sovereign Lord the King, that is to say, the said *A. B.* 40*l.*, and the said *C. D.* and *E. F.* 20*l.* each, to be respectively levied on their lands and tenements, good and chattels, if the said *A. B.* shall make default in the performance of the condition indorsed.

"*J. P.*, S. J. P."

"The condition of this recognizance is such, that if the within-bound *A. B.* shall personally appear before me, the said *J. P.*, at on the day of then and there to answer concerning [*state the offence*] whereof the said *A. B.* stands charged before me, and do and receive what shall be then and there enjoined him, and shall not depart without licence, then the within written recognizance shall be void."

(K.)—FORM of Conviction of Apprenticed Labourer for performing work negligently.

"BARBADOES.—Be it remembered that on this day of in the year 18 *A. B.* of apprenticed labourer of *C. D.* is duly convicted before me, *J. P.*, esquire, special justice of the peace for the district of in the Island aforesaid, for performing his work indolently, this being the third offence; wherefore, I, the said *J. P.* the special justice as aforesaid, do adjudge the said *C. D.* to confinement in the house of correction for the said district with hard labour for the space of six days, and to receive 20 stripes on his bare back, pursuant to the Act or Statute in such case made and provided. In witness whereof I the said justice to this present record of conviction have set my hand and seal.

(L. S.) "*J. P.*, S. J. P."

(L.)—CONVICTION of Apprenticed Labourer for preferring a vexatious and malicious Complaint.

"BARBADOES.—Be it remembered that on this day of in the year *P. Q.*, prædial apprenticed labourer of *C. D.* of in the parish of is convicted before me, *J. P.*, esquire, special justice of the peace for the district of in the Island abovesaid, for preferring a vexatious and malicious complaint against the said *C. D.*, his employer; wherefore I the said *J. P.* do adjudge the said *P. Q.* to work in the service of the said *C. D.* for two extra days; that is to say, nine hours on Saturday the day of and nine hours on Saturday the day of now next ensuing. In witness whereof I the said justice to this present record of conviction have set my hand and seal.

"*J. P.*, S. J. P."

(M.)—COMMITMENT for Trial.

"BARBADOES.—*J. P.*, esquire, one of the special justices of our Lord the King assigned to keep the peace for the district of in the Island abovesaid, to the keeper of the common gaol at Bridge Town in the Island abovesaid, or to his deputy there. These are in His Majesty's name to charge and command you that you receive into your said gaol the body of *C. D.*, late of the district of prædial apprenticed labourer, brought before me for suspicion of felony, that is to say, for stealing of the goods and chattels

chattels of *E. F.*, his employer, of the value of 20*l.* current money of the said Island, and that you safely keep the said *C. D.* until the next general gaol delivery for the Island aforesaid, and herein fail you not.

" Given under my hand and seal day of in the year

" *J. P.*, S. J. P."

(N.)—FORM of Warrant for correcting an Apprenticed Labourer.

" Barbadoes.—To *A. B.*, Serjeant of Police for the district of

Forasmuch as *C. D.*, apprenticed labourer attached to the plantation called in the above district, hath this day been convicted before me, *J. P.*, esquire, special justice of the peace for the district abovesaid, of stealing canes from the land of *E. F.*, his employer, for which I have adjudged the said *C. D.* to receive 25 stripes on his bare back: These are to authorize you to cause the said sentence to be executed and carried into effect. Herein fail you not.

" Given under my hand the day of in the year

" *J. P.*, S. J. P."

(O.)—FORM of Commitment of a Witness for refusing to answer Questions.

" Barbadoes.—*J. P.*, esquire, one of the special justices of our Lord the King assigned to keep the peace for the district of to the keeper of the common gaol of Bridge Town in the Island abovesaid, or to his deputy there: Whereas *A. B.*, being duly summoned as a witness in the complaint of *C. D.* against *E. F.* for [*state the offence*], and having appeared in obedience to such summons hath refused to answer certain questions pertinent to the matter of the said complaint: These are therefore in His Majesty's name to charge and command you that you receive into your said gaol the body of the said and him safely keep until he shall submit to answer the questions aforesaid, or be otherwise discharged by due course of law.

" Given under my hand and seal this day of in the year

" *J. P.*, S. J. P."

(P.)—FORM of a Writ of Execution for Debt.

" (L. S.)—Barbadoes.—William the Fourth, by the Grace of God, of the United Kingdom of Great Britain and Ireland King, &c. to greeting; We command you to attach any of the goods and chattels, and if you cannot find any, then any of the lands, houses or other estate belonging to *A. B.* of the parish of and Island abovesaid, planter, and the same expose for sale according to an Act of our said Island passed on the day of 1834, for and towards payment of the sum of due to *C. D.*, prædial apprenticed labourer of the district according to a judgment obtained the day of 183 by the said *C. D.* against the said *A. B.* before me, *E. F.*, esquire, special justice of the peace for the district aforesaid, being for extra labour performed by the said *C. D.* for the said *A. B.* (*or, as the case may be*); but if you cannot find any goods, &c., nor any other estate whereby to make satisfaction of the said debt and charges, you are then to arrest the body of the said *A. B.*, and him to deliver to our provost-marshal of our said Island, who is hereby required him in safe custody to keep until satisfaction be made of the debt and charges aforesaid. Herein fail not. Dated this day of 18 and in the year of our reign.

" (Teste.) " " *E. F.*, S. J. P. of the district of ."

—No. 9.—

Barbadoes.

AN ACT to alter an Act, intituled " An Act for the Abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers."—(Passed 3d November 1834.)

No. 9.

Whereas it is expedient to alter several of the clauses in the said Act, intituled " An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers:"

Preamble.

And whereas it might prevent confusion if some of the said clauses so intended to be altered were, in the first instance, wholly repealed and afterwards re-enacted, free from the objections which have been made thereto: May it therefore please Your Majesty, that it may be enacted, and be it enacted, by the Governor, Council and Assembly of this your Majesty's Island of Barbadoes, that the 4th, 5th, 12th, 14th, 15th, 27th, 33d, 103d and 104th

Clause 1. The 4th, 5th, 12th, 14th, 15th, 27th, 33d, 103d and 104th clauses of the Act for the Abolition of Slavery, repealed.

104th clauses of the said Act, intituled "An Act for the Abolition of Slavery, for the government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers," shall be and the same are hereby repealed: provided nevertheless, and be it also enacted, that the repeal of the said last-mentioned clauses shall not alter or in anywise affect the construction of any other clause or clauses in the said Act for the abolition of slavery which may refer to any of the clauses so repealed; but that such unrepealed clauses shall have and receive the same construction with reference to the clauses by this Act substituted for them, as if these substituted clauses had been originally enacted.

Proviso: The construction of any clauses in the Act having reference to the clauses so repealed, are not be affected thereby.

Clause 2. Classification of apprenticed labourers.

And be it further enacted, that all apprenticed labourers shall be divided into three distinct classes, the first of such classes, consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners; the second of such classes, consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes, consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers, not included within either of the preceding clauses: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least, next before the 28th day of August 1833, have been habitually employed in agriculture, or in the manufacture of colonial produce.

Proviso.

Clause 3. Non-prædials may, with their own free will, in the presence of the special justice, be transferred to the prædial class.

And whereas it may happen that some persons who in conformity with the foregoing definitions, would be placed in the non-prædial class, might prefer to belong to the prædial class, be it therefore enacted, that it shall be at the option of any apprenticed labourer who shall be thus situated, to be considered as a prædial apprenticed labourer, provided he or she shall notify his or her wishes to that effect in the presence of the special justice of the district where such apprenticed labourer shall be domiciled, who shall make a record of such notification.

Clause 4. The registrar, after confirmation of this Act, shall deliver to employers of apprenticed labourers their last schedules, and the same shall be returned to the registrar within two months afterwards, with the proper classes distinguished.

And be it further enacted, that the registrar of slaves shall, immediately after His Majesty's confirmation of this Act shall be known in this Island, deliver to the employers of apprenticed labourers applying for the same, their last lists or schedules of slaves, and every employer of apprenticed labourers, by himself or herself, or by his or her constituted attorney in this Island, in the case of absentees, or in case any such employer be an invalid, or incompetent, then by some other person or persons, shall return back to the registrar such lists or schedules within two months from the same period, distinguishing, in reference to each apprenticed labourer therein mentioned, then being an apprenticed labourer, to which of the said three classes such apprenticed labourer belongs; and every such return shall be made on oath before the registrar, who is hereby authorized and required to administer the same as follows:

Persons delivering their returns to take the oath here mentioned.

The oath.

"I, *A. B.* do swear, that the distinctions made in the return now presented by me of the classes of apprenticed labourers to which such of the respective slaves therein named, who are now apprenticed labourers, belong, correspond with the occupations usually performed by such apprenticed labourers in their state of slavery for 12 months, previous to the 28th day of August [*adding, if the fact be so*], except the slave or slaves named *A. B.* and *C. D.*, who prefer being placed in the prædial class. So help me God."

Clause 5. No work to be performed on Saturdays or Sundays, nor any interruption from attending any place of worship.

And be it further enacted, that no prædial apprenticed labourer shall be compelled or compellable to labour on Saturdays or Sundays, except in the works of necessity, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer be liable to be hindered or prevented from attending anywhere on Sundays for religious worship at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

Clause 6. Proviso here mentioned in clause 108, repealed.

And whereas the following proviso is inserted in the 108th clause of the said Act: "Provided nevertheless, that nothing herein contained shall extend to abrogate or take away the powers vested by law in the court of grand sessions, or in the several courts of common pleas in this Island, or the right of appeal to the Governor and Council from any decision of any special justice of the peace, by any person or persons who may feel themselves aggrieved thereby;" be it enacted, that the said proviso shall be and the same is hereby repealed: provided nevertheless, and be it further enacted, that nothing in the said 108th clause of the said Act contained, shall extend, or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

The powers vested in the several courts here mentioned not to be affected by such repeal.

Clause 7. How apprenticed labourers shall be confined, and for what offence.

And be it further enacted, that no special constable appointed or to be appointed under the 111th clause of the said Act, shall be allowed to confine for safe custody any apprenticed labourer attached to any plantation or place, except in those cases in which other of His Majesty's subjects might be taken into custody by any ordinary constable, or to those cases in which it may be reasonably presumed that any apprenticed labourer having offended against the said Act, will attempt to escape, anything in the said Act to the contrary contained notwithstanding: provided always, nevertheless, that all buildings used as places of confinement, however temporary, shall be approved of for that purpose by the special

Places of confinement to be visited by the special justice of the district.

special justice of the peace of the district, who is hereby required occasionally to visit the same.

Clause 8. Domestic servants may, for the offences here mentioned, with the consent of their employers, be adjudged by the special justice to other employment.

And whereas it may happen that domestic servants, being apprenticed labourers, may be guilty of certain offences which would render them very unfit persons to be continued in domestic service; be it therefore enacted, that if any domestic servant, being an apprenticed labourer, shall be convicted before a special justice of the peace of habitual drunkenness, stealing, committing or attempting to commit any serious injury to the person or property of his or her master or mistress, or shall be convicted of any gross misdemeanor, it shall and may be lawful for such special justice, and he is hereby required, with the consent of such master or mistress, to order and adjudge every such domestic servant, being an apprenticed labourer, to be employed in such other occupation or labour as such justice shall in his discretion think proper: provided that nothing herein contained shall be construed to authorize any such special justice by any such order to prolong the apprenticeship of any such apprenticed labourer.

Proviso: Apprenticeship not to be prolonged thereby.

Clause 9. The 11th and 16th sects. of the Act of Parliament recited.

And whereas by the 11th section of the Act of the Imperial Parliament for the Abolition of Slavery, it is enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are thereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by any law then in force in the colony to which such apprenticed labourer might belong, as an owner is required to supply to and for any slave being of the same age and sex as such apprenticed labourer shall be: and whereas it is, in and by the 16th clause of the said last-mentioned Act recited, that it would also be necessary, for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said respective colonies, for securing punctuality and method in the supply to them of such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as they were thereinbefore declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws then existing in any such colony may not, in the case of slaves, have made any regulation, or any adequate regulation for that purpose; and it was also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omission or neglects which might occur respecting the quantity or quality of the supplies so to be furnished, or respecting the periods for the delivery of the same: and whereas, by an Act of this Island, intituled, "An Act to repeal several Acts and Clauses of Acts respecting Slaves, and for consolidating and bringing into one Act the several Laws relating thereto, and for the better Order and Government of Slaves, and for giving them further Protection and Security, for altering the Mode of Trial of those charged with Capital and other Offences, and for other purposes;" being the only law in force respecting slaves at the time of the passing of the said Act of the Imperial Parliament; the amount and quality of the articles to be furnished slaves are not regulated: be it therefore enacted, that during the continuance of any such apprenticeship as aforesaid the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are hereby required to supply or cause to be supplied to him or her such food, clothing, lodging, medicine and medical attendance as hereinafter mentioned; that is to say, each and every such apprenticed labourer above the age of 16 years shall receive, in each week, not less than 30 pounds of plantains, potatoes, yams or eddoes, or 10 pounds of Guinea or Indian corn, and a pound of cod fish or herrings, shads or other pickled fish, or other salted provisions equal thereto; and every such apprenticed labourer, from the age of 12 to the age of 16 years, shall receive two thirds of the above allowances of food; and every such apprenticed labourer, from the age of six to the age of 12 years, shall receive one half of the first-mentioned allowances of food; and children under six years of age, being apprenticed labourers, shall be provided with proper and sufficient food for their support: provided nevertheless, that the person or persons entitled to the services of any such apprenticed labourer, or any person or persons acting in his or her behalf, who may be unable or unwilling to procure such provisions as are hereinbefore mentioned, may, with the authority in writing of the special justice of the peace of the district in which such apprenticed labourer or labourers is or are resident, substitute for the same, or any part or parts thereof, any other kind of provisions, or any money payment or allowance of time for such apprenticed labourer or labourers to work for his, her or their own benefit and advantage, as shall in the judgment of such special justice be equivalent to the allowances hereinbefore prescribed; and all provisions so to be delivered and supplied to the apprenticed labourers shall be sound and fit for consumption, and of good average merchantable quality; and the same shall be delivered and supplied to such apprenticed labourer once (or oftener) in each week, on any other day than Saturday or Sunday; and if any such person or persons as aforesaid, subject and liable so to do, shall not deliver or supply to such apprenticed labourer provisions of such amount and quality, and at such times as he, she or they is or are hereinbefore required to deliver and supply the same, such person or persons shall incur and become liable to a penalty (provided complaint thereof be made within 28 days) equal to twice the value of the provisions which ought so to have been supplied, for the benefit of the apprenticed labourer injured by such omission or neglect, unless it can be proved that the same cannot be purchased in any of the markets or towns of this Island: provided nevertheless, that in time of scarcity the Governor, by and with the advice of the Council, may from time to time, by proclamation to be by him for that purpose issued, authorize the substitution of any other provisions or allowances which can be purchased

The quantity of food to be supplied to each apprenticed labourer, as a weekly allowance, from the age of 16 years and upwards.

From 12 to 16 years.

From 6 to 12 years.

Proviso: Other food, or money payment, may be substituted, with the consent of the special justice.

Penalty on employers for default.

Complaint to be made within 28 days.

Proviso: In time of scarcity, the Governor, by proclamation, may authorize other provisions to be substituted.

Apprenticed labourers imprisoned in any house of correction, to be fed at the public expense.

chased in lieu of the aforesaid allowances: provided always, nevertheless, that whilst apprenticed labourers are imprisoned in any house of correction, or public prison of this Island, the employer or employers of such apprenticed labourers shall not be bound to provide them with any allowance of food, or money to purchase food, but they shall be fed at the public expense; and in all such cases where a weekly payment shall be agreed on as aforesaid, then such weekly money payment or wages shall be recovered before the special justice of the district where such apprenticed labourer shall reside.

Clause 10. Additional clothing to be supplied to apprenticed labourers.

And be it further enacted, that in addition to the clothing directed by the aforesaid Act of this Island for the abolition of slavery to be furnished to apprenticed labourers, every person entitled to the services of apprenticed labourers shall be bound, under the penalty provided by the said Act, to furnish an additional shirt and pair of trousers to each male, and an additional shift and petticoat to each female.

Clause 11. Causes for which apprenticed labourers shall be compelled to serve their employers, and how to be punished for disobedience or neglect.

And be it further enacted, that in all cases of urgent necessity, such as fire, tempest and occurrences of a similar nature, it shall be lawful for the owner, or other person in the management of any property where such necessity may occur, to require and compel immediate and continued service of all or any of the apprenticed labourers attached to such property during such emergency; and every apprenticed labourer who may refuse when called on to perform any such services shall be liable to all such penalties as he or she would be liable to for any undue performance or neglect of work during any time his or her employer may be entitled to his or her services.

Clause 12. Reasonable causes, proved on oath, to be admitted by a justice for the absence of an apprenticed labourer from his employer's service.

And whereas, by the 58th clause of the said Act, certain causes are mentioned which alone exempt an apprenticed labourer from punishment in case of absence from his or her employer's service: and whereas, other causes may arise which ought to exempt an apprenticed labourer from punishment in case of absence: be it therefore enacted, that the several special justices of the district before whom any complaint may be exhibited against any apprenticed labourer for absence from his or her employer's service, may admit any other reasonable cause for such absence which shall be proved on oath to have existed at the time, and which shall appear just to such special justices.

Clause 13. No apprenticed labourer to be arrested for debt, &c., nor taken in execution for any debt of his employer.

And be it further enacted, that no apprenticed labourer during his or her apprenticeship shall be arrested or imprisoned in any action of debt, assumpsit, covenant or other action founded on contract; nor shall any apprenticed labourer be liable to be arrested or taken in execution by virtue of any writ of execution obtained in any such action or actions during his or her apprenticeship; nor shall any apprenticed labourer be liable to be taken in execution for any debt or demand against his or her employer.

Clause 14. Apprenticed labourer, for trespass, &c. against his employer, shall, by order of the special justice, on conviction, perform extra labour, not exceeding one month.

For subsequent offence, to be imprisoned in a house of correction for three months, and worked on the tread-mill.

And be it further enacted, that if any apprenticed labourer shall commit any trespass upon his or her employer's property, whether real or personal, or be guilty of uttering any slander, or of publishing any libel against his or her employer or employers, he or she shall, on conviction thereof before the special justice of the district to which he or she shall belong, be adjudged to perform any number of extra days' labour in the service of his or her employer or employers, or to imprisonment with hard labour for any time not exceeding one calendar month, or solitary confinement not exceeding one week, or if a male, to whipping not exceeding 20 stripes; and if any such apprenticed labourer so convicted shall afterwards be guilty of any of the said offences, and shall be convicted thereof before such special justice of the peace as aforesaid, every such offender shall be committed to the house of correction for such term not exceeding three months as the said justice before whom he or she shall be convicted shall think fit, and be worked on the tread-mill or public works, and if a male, to be whipped, not exceeding 39 stripes: provided always, nevertheless, that this enactment shall not exempt any apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such offences by him or her done or committed; provided nevertheless, that no such apprenticed labourer shall be liable to be sued or prosecuted both under this Act and under the general law.

Clause 15. Words in the 24th clause of the Abolition Act repealed. At the end of said clause, proviso added.

And be it further enacted, that the words, "if the child be under the age of 18 years," in the 24th clause of the said Act for the abolition of slavery, shall be and the same are hereby repealed; and at the end of the said 24th clause there shall be added the following proviso: "provided always, that such temporary employment shall only be at such distances from the domiciles of such apprenticed labourers as will enable them to return thither by half-past six o'clock in the evening."

Clause 16. Not to be in force until His Majesty's pleasure be known.

Provided always, and be it further enacted, that this Act, or anything herein contained, shall not be in force until His Majesty's pleasure on the same shall be known.

— No. 10. —

Barbadoes.

No. 10.

AN ACT for the Establishment of a Rural Police for this Island, and for the Erection of Houses of Correction connected therewith:—(Passed 14 July 1834.)

Preamble.

WHEREAS, in consequence of the changes made in the relations of society in this Island by the provisions of an Act of the Imperial Parliament of the third and fourth year of His Majesty's

Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it has become necessary to establish and maintain an efficient body of police in the several parishes of this Island, to be continually in readiness for the preservation of the public peace, and the prompt suppression of all disorders, and also for the better promoting the objects of this Act, it is expedient that this Island should be divided into a certain number of districts; be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain General and Commander-in-Chief of this Island, Chancellor Ordinary and Vice-Admiral of the same, the honourable the Members of His Majesty's Council and the General Assembly of this Island, and it is hereby enacted by the authority of the same, that this Island shall be for the purposes of this Act divided into six districts, and that the same shall be composed of the parish or parishes hereinafter mentioned, and shall be distinguished in the manner following; that is to say,

Clause 1.
The Island to be divided into six districts, distinguished as here mentioned.

The parishes of	St. Michael and town of Bridgetown	to form District (A.)
—	Christchurch and St. George - - - — -	(B.)
—	St. Philip and St. John - - - - — -	(C.)
—	St. James and St. Thomas - - - — -	(D.)
—	St. Peter and St. Lucy - - - - — -	(E.)
—	St. Andrew and St. Joseph - - - — -	(F.)

Clause 2.
Five members of the Council, and 11 members of the General Assembly, one of each parish respectively, to be commissioners for executing this Act, and any five or more (one being a councillor) to be a board for transacting the business.

Vacancies, how to be supplied.

And be it further enacted, by the authority aforesaid, that five members of His Majesty's Council, to be appointed by the Board of Council and 11 members of the General Assembly, one from each parish, to be appointed by the speaker for the time being, and so from time to time as vacancies occur, shall be and are hereby constituted commissioners for carrying this Act into execution; and they, or any five or more of them (one at least being of the Council), are hereby deemed and constituted a board for carrying on the business of this Act; and in case any member or members of Council or of the General Assembly so appointed shall leave the Island, become incapacitated, or cease to be a member or members of Council or of the General Assembly, his and their place and places as such commissioner or commissioners shall be considered and are hereby declared to be vacant, and such vacancy or vacancies shall be supplied in manner aforesaid.

Clause 3.
The commissioners are authorized to purchase a spot of land in each of the districts, not exceeding two acres, for the establishment of police settlements.

And to take a conveyance for the same to them and their successors, for the purposes mentioned in this Act.

The rights of persons selling any spot of land to be preserved, so far as to render him an eligible freeholder.

And be it further enacted, that the said commissioners, or any board of them, shall be empowered and they are hereby directed to purchase six spots or parcels of land, one in each of the said several districts, in such convenient situations as may be best adapted from their locality for the several police establishments and the erection of houses of correction: provided that none of such spots or parcels of land shall exceed two acres, and that in case the owner or owners thereof cannot agree with the said commissioners, or a board of them, for the price of the same, that a valuation shall be put on such land by a jury, to be summoned by warrant under the hands and seals of the said commissioners, or any board of them, and held in the manner prescribed on laying out new jury roads; and such spots or parcels of land shall be conveyed to and vested in the said commissioners and their successors, to be appropriated for the establishment of police settlements thereat, and the erection of houses of correction and other necessary buildings thereon proper for such establishments: provided always, that if in the appropriation of any such spot or parcel of land for the purposes of this Act it shall so diminish the lands of any person as to deprive such person of the rights and privileges of a freeholder, then and in such case the fee simple of the land so purchased and appropriated as aforesaid shall be held, deemed, taken and considered as still being in such person, so far as to preserve to such person the rights and privileges of a freeholder, but no further or otherwise or for any other purpose whatsoever.

Clause 4.
The commissioners are to agree with persons for erecting the necessary buildings, and a signal post at each police settlement.

The commissioners are to advertize for tenders, and to take a bond from the contractor or contractors; to draw orders on the treasurer for payment of all sums of money due, as well for the purchase of the land as for erecting the buildings.

And be it further enacted, that immediately after the passing of this Act, and the appointment of the said commissioners, they, or any board of them, shall assemble together and agree on such plan or plans as may appear to them best adapted for erecting the buildings necessary for such police settlements and houses of correction in each of the said several districts respectively, and shall contract and agree with proper persons for the erection of such buildings on each of the several spots or parcels of land as may be necessary for such police settlements; such buildings to be built according to such plan or plans as aforesaid, and subject to such alterations as from time to time may seem to the said commissioners, or any board of them, to be necessary and expedient; and at each of the said several stations or settlements there shall be erected a signal post, so as to communicate by telegraph with any one or more of the signal posts already established: and the said commissioners, or any board of them, are hereby authorized to execute any agreement or agreements in writing on behalf of the public with any person or persons so to be employed in the erection of such buildings, and for completing the same in a proper and workmanlike manner: provided always, that tenders for such contracts shall be advertized for in one or more of the newspapers of this Island, and that the lowest and most eligible tender, if approved, shall be accepted by the said commissioners, or any board of them, and they are hereby required to take a bond or bonds from the said contractor or contractors in such penalty or penalties as shall seem proper to them, and with two good and sufficient securities to be approved of by them for the due and prompt performance of his or their contract or contracts, and from time to time as any sum or sums of money shall become due, to the person or persons from whom such spots or parcels of land as aforesaid shall have been purchased, or to such contractor or contractors under and by virtue of any such contract or contracts as aforesaid, the said commissioners

missioners, or a board of them, shall draw an order or orders, to be signed by five at least of the said commissioners, on the treasurer of the Island, for the payment of such sum or sums of money to such person or persons, or to such contractor or contractors respectively, which order or orders the treasurer is hereby directed to pay out of any monies that may be in the treasury: and the said commissioners, or any board of them, if they shall think proper, are hereby also authorized to appoint some competent person or persons to survey and inspect the said buildings, and see that the same are finished in a faithful and workmanlike manner, and according to the contract or agreement for building the same; and such person or persons so to be appointed shall receive such remuneration for his or their trouble as shall be agreed upon by the said commissioners, or any board of them, and such person or persons, and the said commissioners, or any board of them, are hereby authorized to draw an order on the treasurer of the Island for the payment of such remuneration to such person or persons, which order the treasurer is hereby authorized and required to pay.

The commissioners are to appoint a proper person to inspect the buildings, which are to be finished in a workmanlike manner, and to draw an order for the payment of such person, of such remuneration as they agree with him for.

Clause 5.
The commissioners are to appoint a sergeant and number of privates to serve at each district as follows:
For dist. (A.) 16 privates.
— (B.) 24 —
— (C.) 24 —
— (D.) 16 —
— (E.) 24 —
— (F.) 24 —

And be it further enacted, that it shall and may be lawful for the said commissioners, or a board of them, to appoint one sergeant at each police settlement, who is to be required to keep a good and efficient horse; and to appoint for district (A.) eight privates to serve on foot and eight privates mounted on horses; for district (B.) 12 privates to serve on foot and 12 privates mounted on horses; for district (C.) 12 privates to serve on foot and 12 privates mounted on horses; for district (D.) eight privates to serve on foot and eight privates mounted on horses; for district (E.) 12 privates to serve on foot and 12 privates mounted on horses; for district (F.) 12 privates to serve on foot and 12 privates mounted on horses; all able-bodied men between the ages of 20 and 55 years; and when any such situation shall become vacant by the death of any such sergeant or private, or otherwise, it shall be the duty of the person in charge of such settlement immediately to report the same to the said commissioners, who, or any board of them, shall forthwith fill up all such vacancies by appointments in manner aforesaid; and such sergeants and privates may be removed by the said commissioners, or any board of them, for bad conduct or inefficiency; and such sergeants and privates shall be styled police-officers, and shall form the police force at such settlements; and they shall reside at their respective police settlements when not on actual duty; and the said commissioners, or any board of them, are hereby authorized and required to appoint such police-officers immediately after the passing of this Act.

Vacancies, how to be supplied.

Police officers to be appointed immediately after the passing of this Act, and when not on duty, to reside at their respective settlements.

Clause 6.
Police officers to be indented for not less than one year nor more than six years, and to be paid as follows: each sergeant, 130*l.* per annum; each private serving on foot, 50 *l.*; and each private serving on horse, 80 *l.*, to be paid monthly out of the public treasury.

And be it further enacted, that the said commissioners, or any board of them, are hereby directed and empowered to indent all persons so appointed and engaged into the said police for a term of not less than one year nor more than six years; and during the time that they shall remain such police officers as aforesaid, they shall receive the following pay; that is to say, each sergeant shall receive the sum of 130 *l.*, current money of this Island, per annum, to be paid to him in equal monthly payments by the treasurer of this Island, on certificate of the special justice of the district to which such police officer shall be attached; and each private serving on foot the sum of 50 *l.* like current money per annum, to be paid to him in equal monthly payments in manner as aforesaid; and each private serving on horseback the sum of 80 *l.* like money per annum, to be paid to him in equal monthly payments in manner as aforesaid: provided always, that every such special justice shall, seven days at the least before he issues any such certificate or certificates, give notice in writing to the treasurer of the number of such certificates, the names of the persons to whom given, and the amount of each.

Special justices to notify to the treasurer seven days previous to issuing orders for payment, the number, names of persons, and amount of each.

Clause 7.
Vacancies of sergeants, how to be supplied.

And be it further enacted, that as vacancies occur among the sergeants of such police settlements, privates may for good conduct be promoted to such vacancies from time to time by the said commissioners or a board of them.

Clause 8.
Privates to be numbered, and how to be dressed.

And be it further enacted, that the several privates appointed to the different districts shall immediately on their enrolment be numbered by the sergeant of such district, and shall be provided with the following dress: a blue cloth jacket, to be so made as to button close up to the chin, with a standing collar; on the right side of which shall be worked in white cloth the letter distinguishing the district to which such private belongs, and on the left the individual number of such private according to such enrolment as aforesaid; a pair of dark grey cloth trousers, a black hat, two pairs of strong shoes, and a grey cloth cloak or great coat, such as is furnished to the soldiers in His Majesty's army; and that each of the said sergeants shall be provided with a blue cloth jacket, with standing collar, on each side of which shall be worked in white cloth, the letter distinguishing the district to which he belongs, and with three stripes of white cloth on the left arm, and that in all other respects they shall be dressed as the privates are hereby directed to be; which said uniforms are to be worn by the said police officers at all times when on duty, and to be annually furnished to them at the public expense, under the directions of the said commissioners or any board of them.

Sergeants, how to be dressed.

Uniforms to be provided at the public expense, and to be worn only when on duty.

Clause 9.
Police officers to be armed and accoutred at the public expense, and the arms are to be kept at each settlement.

And be it further enacted, that the said commissioners, or any board of them, are hereby directed to arm and accoutre the said police officers in such manner as they shall deem expedient for the due performance of their duties, and their proper protection as a police; which said arms and accoutrements shall be provided at the public expense, and shall be kept, when not in use, in complete order, and deposited in a room to be appropriated to that purpose at each police settlement.

And

Clause 10. Duties of police officers prescribed.

And be it further enacted, that it shall be the duty of the sergeants and privates of each police settlement to carry into execution all such orders as they shall receive from the special justice or special justices of the district of each such police settlement, for the prevention or repressing of crimes and enforcing obedience to the law.

Clause 11. Police officers to act as peace officers, and to enjoy all immunities of a constable under the general law;

And be it further enacted, that the sergeants and privates of police shall act as conservators of the peace for the respective districts to which they shall respectively belong; and they shall have, exercise and enjoy within their respective districts all the powers, authorities and immunities which are incident to the office of a constable, and which are by the general law of the land vested in or given to constables; and all such powers, authorities and immunities are hereby declared to be absolutely and fully vested in and given to such sergeants and privates of police: provided always, that when any such police officer shall be suspended, dismissed or cease to belong to such police settlement as aforesaid, all such powers, authorities and immunities shall immediately cease and determine.

All which shall be no longer enjoyed than while he continues in such office.

Clause 12. Any police officer convicted before a justice of the peace of disobedience or improper conduct, shall be fined 5 *l.*, which, if not paid at the time here mentioned, the same shall be notified to the treasurer, who shall deduct such amount from his salary.

And be it further enacted, that in all cases in which any police officer shall be guilty of any disobedience or infringement of any of the bye-laws or regulations for the government of the police establishment, or other impropriety of conduct or breach of duty as such police officer, it shall and may be lawful for any justice of the peace before whom such police officer shall be convicted of any such offence, to impose a penalty on him of not more than 5 *l.*; and in case the same shall not be paid immediately, or within such time as the justice before whom the conviction shall take place shall direct, notice thereof shall be given by such justice to the treasurer of the Island, who is hereby directed to deduct the amount of such penalty from the salary due to such police officer.

Clause 13. A driver of any carriage, cart, &c., who shall ride thereon (except as is here excepted), or misbehave himself, or cause hurt or damage to any person or property, or who shall be guilty of any other the offences herein set forth, on conviction thereof before a justice of the peace, shall forfeit a sum not exceeding 40 *s.* currency, and where damage shall be sustained, the further sum of 5 *l.* to the party injured, and in default of payment, to be committed to gaol or a house of correction for two months, unless the fines be sooner paid.

And whereas obstructions often happen and damage is frequently done on the several highways of this Island by the negligence or wilful misbehaviour of persons driving vehicles thereon; be it therefore further enacted, that if any driver of any carriage, cart or vehicle of any kind shall ride upon any such carriage, cart or vehicle (such carriages or vehicles as are commonly driven or conducted by some person holding the reins of the horses excepted); or if the driver of any carriage, cart or vehicle of any description whatsoever, or any person riding shall by negligence, wilful misbehaviour or other misconduct, cause any hurt or damage to any person or property being upon any highway; or if any driver of any carriage, cart or vehicle whatsoever shall wilfully be at such distance from such carriage, cart or vehicle, that he cannot have the direction or government of any horse or horses or cattle drawing the same (not having employed some proper person to take care of the same), or shall by negligence, wilful misbehaviour or other misconduct, interrupt the free passage of any other vehicle or of His Majesty's subjects, or shall obstruct any highway, and being required by any police officer or constable to pass on or move, shall continue to obstruct the same, every person so offending, and being convicted by any justice of the peace, either upon confession or the oath of a credible witness, shall for every such offence forfeit any sum not exceeding 40 *s.* currency, to be paid into the public treasury; and in every case where any such hurt or damage shall have been caused as aforesaid, shall further pay such sum not exceeding 5 *l.*, as shall appear to the said justice a reasonable compensation to the person so aggrieved or injured; and in default of payment thereof immediately or within such time as such justice shall appoint, such justice shall commit such offender to the common gaol or house of correction of the district in which such offence shall have been committed, to be there imprisoned for any term not exceeding two months, unless such penalty, together with the costs and compensation (if ordered) be sooner paid: provided always, that nothing herein contained shall deprive or debar any person or persons from any civil or other remedy which he or she may lawfully have on occasion of such damage or injury as aforesaid: provided always, that in all cases in which the offender shall be an apprenticed labourer, he or she shall be punished under the provisions of an Act of this Island, intituled, "An Act for the abolition of Slavery, for the Government of Apprenticed Labourers, and for ascertaining and enforcing the Reciprocal Duties between them and their employers."

Parties to have the right of civil process for recovery of damages.

Offenders being apprenticed labourers to be punished under the Act for the Abolition of Slavery.

Clause 14. A police officer may stop and search any cart &c. suspected of having stolen goods, &c., and carry the same, with the persons, before a justice of the peace, and if the goods shall not be satisfactorily accounted for, the possessor shall be adjudged guilty of a misdemeanor

And be it further enacted, that it shall be lawful for any police officer within the district to which he belongs to stop and search any cart, carriage or vehicle which there shall be reason to suspect of having or conveying any goods, matter or thing stolen or unlawfully obtained, and also to apprehend, search and detain any person who may be reasonably suspected of having or conveying in any manner any goods, matter or thing stolen or unlawfully obtained, and to convey every such person (except such person be in the immediate charge of any cart, carriage or vehicle), as soon as conveniently may be, together with such goods, matter or thing, before some justice of the peace; and if such person shall not give an account, to the satisfaction of such justice, how he or she came by the same, such person shall be deemed guilty of a misdemeanor, and shall suffer as hereinafter mentioned.

Clause 15. Upon the information, on oath, of a credible person, a justice of the peace may issue his warrant to any police officer, to search the house, &c. of any suspected person, where stolen goods shall be suspected to be concealed, and to summon

And be it further enacted, that if it shall be made to appear to any justice of the peace, by the information on oath of one or more credible person or persons, that there is reasonable cause for believing that any goods, matter or thing, stolen or unlawfully obtained, are concealed or otherwise lodged in any house, warehouse, shop, yard, garden, lodging, or any other place, it shall be lawful for such justice, by special warrant under his hand and seal directed to any police officer within his district, or constable as aforesaid, to cause every such place to be entered and searched at any time of the day or by night (if a power for that purpose be expressly given in and by such warrant), and the said justice shall be, and he is hereby authorized, if it shall appear necessary, to empower, in and by his said warrant, any

assistance, and, if necessary, to use force for effecting an entry.

In case any goods, &c. shall be found, the police officer is to carry the same, with the person in whose premises they were found, and all others, persons privy to such concealment, before the justice, and if the goods, &c. shall not, within a reasonable time, be satisfactorily accounted for by the person in whose premises they were found, such persons shall be adjudged guilty of a misdemeanor.

any such police officer within his district, or constable, with such assistance as shall be found necessary (such police officer or constable having previously made known to the person or persons having charge in the said place such his authority) to use force for effecting such entry, whether by breaking open doors or otherwise, and if upon search being thereupon made any such goods, matter or things be found, the said police officer or constable is forthwith to convey the same to and before a justice of the peace, or otherwise place and dispose the same in some convenient place of safety, subject to the order and discretion of any such justice of the peace in manner above mentioned; and the said police officer or constable is to apprehend and convey before the said justice of the peace the person or persons in whose house, warehouse, shop, yard, garden, lodging or other place, such goods, matters or things, shall have been found, and all other person or persons found in such house, warehouse, shop, yard, garden, lodging or other place, who shall appear to have been privy to the depositing and concealing such goods, matters or things therein, knowing or having reasonable cause to suspect the same, to have been stolen or otherwise unlawfully obtained, and if such person or persons respectively shall not immediately or within a reasonable time, to be appointed by such justice of the peace for that purpose, make it appear to his satisfaction by what lawful means such goods, matters or things, came to be deposited or situated in such place or places as aforesaid, or that the same were deposited or situated in such place or places without any connivance, knowledge or default on the part of such person or persons respectively, then the person or persons in whose house, warehouse, shop, yard, garden, lodging or other place as aforesaid, any such suspected goods, matters or things, shall have been found, and also every other person or persons so appearing to have been privy to the depositing the same therein, knowing or having cause to suspect the same to have been stolen or otherwise unlawfully obtained, shall be deemed and adjudged guilty of a misdemeanor, and shall suffer as hereinafter mentioned.

Clause 16.
A person charged before a justice with having stolen goods, and declaring himself the agent of another person, by whom he was employed, the justice shall cite such person, and all others who may be interested, before him, and examine them and witnesses on oath; and upon hearing, the person in possession of such goods stolen or unlawfully obtained, to be adjudged guilty of a misdemeanor.
The employer of a carrier or servant to be deemed the lawful owner of the goods.

And be it further enacted, that when any person or persons shall be brought before any justice of the peace charged with having or conveying any such goods, matters or things, stolen or unlawfully obtained, and shall declare himself or herself to have received the same from some other person or persons to have been employed as a carrier, agent or servant, to convey the same for some other person or persons, such justice of the peace is hereby authorized and required to cause every such person or persons, and also, if necessary, every prior or pretended purchaser, or other person through whose possession the same shall appear to such justice to have passed, to be brought before him and examined upon oath respecting such possession of such goods, matter or thing as aforesaid, and also to examine witnesses on oath touching the same, and if upon the whole evidence so to be adduced before such justice as aforesaid it shall appear that any person hath had possession of such goods, matter or thing, and knew or had reasonable cause to suspect and believe that the same or any part thereof had been stolen or unlawfully obtained, every such person shall be deemed guilty of a misdemeanor, and shall suffer as hereinafter mentioned; and the possession of any such goods, matter or thing, by any person who is *bonâ fide* employed as a carrier, agent or servant, shall be deemed to be the possession of the person or persons who shall have employed such other person as such carrier, agent or servant.

Clause 17.
All offenders for misdemeanors shall, upon conviction, forfeit and pay a sum not exceeding 10 *l.* into the public treasury, or be imprisoned, with or without hard labour, not exceeding two months, at the discretion of the justice.

Offenders may be bound to the grand sessions.

And be it further enacted, that for every offence hereinbefore declared to be a misdemeanor, or for which no special penalty or punishment is hereinbefore appointed, the offender or offenders shall, upon conviction thereof, and at the discretion of the justice or justices of the peace before whom such conviction or convictions shall take place, either forfeit and pay any sum not exceeding 10 *l.* into the public treasury of this Island, or shall suffer imprisonment for any term not exceeding two months, with or without hard labour, in the common gaol of this Island, or in the house of correction for the district in which such offence has been committed; and in case any such offender or offenders who shall have been sentenced to pay any such fine or penalty as aforesaid shall not pay the same immediately, or within such time as the said justice or justices shall appoint, it shall be lawful for such justice or justices to commit the offender or offenders to such gaol or house of correction, and for the like term as aforesaid, unless the same be sooner paid: provided always, that nothing herein contained shall prevent any such justice or justices from sending any such offender or offenders to take their trial for such offence or offences at the court of grand sessions for this Island established.

Clause 18.
Articles seized from persons convicted of a misdemeanor (doubtful as to the owner) shall be advertised in some newspaper;

And if not claimed in 30 days, they shall be sold, and the net proceeds, after deducting the expenses, paid into the public treasury.
Perishable articles to be sold immediately.

And be it further enacted, that when any articles shall be seized by virtue of this Act, and the person or persons in whose possession the same shall have been found shall be convicted of a misdemeanor as aforesaid, and it shall be doubtful to whom the same really belong, it shall be lawful for such justice or justices to cause the same to be advertised in some public newspaper or newspapers, in order that persons having a right thereto may claim and receive the same within 30 days from the date of such advertisement or advertisements, on paying the expenses of advertising the same; and if no person shall prove his property and right to any such articles within the said 30 days, the same shall be sold for the best price that can reasonably be gotten for the same, and after deducting the expenses and charges of keeping and advertising the same, the residue shall be paid into the public treasury of this Island: provided always, that where any such articles are of a perishable nature, it shall be lawful for the justice before whom the same shall be brought to order the same to be forthwith sold or otherwise disposed of as to him shall seem fit.

And be it further enacted, that the sergeants and privates of police to be appointed by virtue of this Act, shall each of them, previously to his entering upon the execution of his office, take an oath before the special justice of the peace having the superintendence of the police settlement of which such sergeant or private shall be a member, which oath such special justices of the peace are hereby respectively authorized to administer. The tenor thereof shall be as follows:

Clause 19. Sergeants and privates of police appointed under this Act, shall, before they enter upon their duties, take the oath prescribed.

"I, *A. B.* do swear, that I will well and truly serve our Sovereign Lord the King, as a police officer for the district of in this Island, according to the best of my skill and knowledge. So help me God."

And be it further enacted, that each such police settlement shall be, and the same is hereby declared to be, under the immediate superintendence of a special justice or justices of the peace of the district in which such police settlement shall be established, and a special justice of the peace shall reside at such police settlement or in the immediate vicinity thereof; and such special justice shall have the power of suspending any police officer belonging to such police settlement, subject to the confirmation or disallowance of such suspension by the Governor or Commander-in-chief for the time being, and the Council: provided always, that the power of such special justice shall cease and determine upon the expiration of the said apprenticeship system.

Clause 20. Each police settlement to be under the superintendence of a special justice of the peace; and a special justice shall reside thereat, who shall suspend any police officer, subject to the confirmation of the Governor and Council, by whom he may be dismissed.

And be it further enacted, that all such persons as shall be condemned to imprisonment with hard labour, at such houses of correction as aforesaid, shall be classed and formed into one or more penal gangs, and shall be employed, under the superintendence of one or more of such police officers to be appointed by the special justice, upon the repair of the highways of the district to which they belong, or such other public works in such district, under such rules and regulations as the said commissioners shall deem fit; and that the persons so employed shall wear such dress or dresses, to be provided at the public expense, with such mark or marks upon them as the said commissioners or a board of them shall appoint; and any person not duly authorized, taking off or assisting any member of such penal gang to take off or conceal his dress, shall for every such offence forfeit and pay, on conviction before any justice of the peace, a sum not exceeding 5*l.* currency, for the use of the public treasury, or be imprisoned, with or without hard labour, at the discretion of the said justice, for a term not exceeding one month in the house of correction for the district in which the offence may be committed, or in the common gaol of this Island.

Clause 21. Persons sentenced to hard labour to be classed and formed into penal gangs, and employed in repairing the highways and other public works in the district, who shall wear a dress with such marks as shall be appointed by the commissioners, to be provided at the public expense.

A person removing, or assisting any member of a gang to conceal, his dress, shall, upon conviction before a justice of the peace, forfeit 5 *l.*, or be imprisoned, with or without hard labour, for one month, at the discretion of the justice.

And be it further enacted, that all persons committed to the houses of correction shall be supplied with proper food at the public expense, the same to be furnished in such manner and of such quality as any board of the said commissioners shall direct and appoint: provided always, that tenders for the said food and all other necessaries for the said establishments respectively shall be contracted for in the same manner as public contracts, and the lowest and most eligible tender, if approved, shall be accepted by the said commissioners or any board of them, and security be given and approved of by them for the due performance of the said contracts; and the said commissioners, or a board of them, are from time to time to draw orders on the treasurer for the payment of the same.

Clause 22. Persons committed to the house of correction to be fed at the public expense.

Tenders for food and other necessaries for the establishments to be contracted for, security being given by the contractors, who are to be paid by orders on the public treasury.

And be it further enacted, that the said commissioners, or any board of them, shall be, and they are hereby authorized and required to appoint a keeper of each house of correction which shall be attached to the said police establishments, and all vacancies shall from time to time be supplied by their appointment, and any such keeper may be removed by the said commissioners, or any board of them, for bad conduct or inefficiency; and every such keeper is hereby declared to be under the immediate superintendence of the special justice or justices of the district in which such house of correction is situate; and every such keeper shall, and he is hereby directed to, keep a book or books, in which he shall regularly enter the names of all persons committed to the said house of correction, the name or names of the justice or justices committing them, the offence for which committed, and the punishment to be undergone by them; which said book or books shall and may always be inspected by the visitors hereinafter mentioned; and each keeper of every such house of correction shall be paid at the rate of 100*l.* current money of this island per annum, and shall receive such pay monthly out of the public treasury, on certificate of the special justice for the district to which he shall belong.

Clause 23. A keeper shall be appointed to each house of correction, who may be removed for bad conduct, &c. The keeper shall enter in a book the names of all persons committed, by whom, for what offence, and the punishment they are to receive; which books shall be inspected by the visitors of the house.

The keeper to be paid a salary, at the rate of 100*l.* currency per annum, monthly, out of the public treasury.

And be it further enacted, that the said commissioners, or any board of them, shall be authorized to hire any place or places for the assembling and keeping together the different police officers, until proper police settlements shall be built under the provisions of this Act.

Clause 24. Placesto be hired until police settlements are built.

And be it further enacted, that in all cases of emergency it shall be lawful for any special justice to summon, either by signal or otherwise, to his assistance any number of police officers from any other police settlement; and that the person having charge at such other police settlement shall furnish the same or not, at his discretion.

Clause 25. In case of emergency, any special justice may summon assistance from another settlement, which the person in charge may furnish or not, at his discretion.

And be it further enacted, that the said police officers may upon reasonable cause visit the several plantations, estates and places within their respective districts, and search for absentees or otherwise; and that every employer or person having the charge of any apprenticed

Clause 26. Police officers may search estates and other places within their district for absentees;

and employers, within 24 hours after the absence of an apprentice, shall, under the penalty of 20 *s.* currency, report the same at the police settlement.

ticed labourers or labourer shall within 24 hours after he or she shall know that any one or more of such apprenticed labourers has absented himself, herself or themselves without the permission of such employer or person having such charge as aforesaid, make a report thereof to the police settlement of the district, and the sergeant of such settlement is hereby required to communicate the same to the police officer of his district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees; and every person having such charge as aforesaid who shall omit to make such report, shall forfeit for each absentee the sum of 20 *s.* current money, to be recovered as in the case of servants' wages, and paid into the public treasury.

Clause 27. The commissioners to establish rules and regulations for the internal discipline of the police settlements, observing a classification of prisoners and separation of sexes, and maintaining cleanliness and sobriety among them, which rules are to be hung up in each house of correction.

And be it further enacted, that the said commissioners or a board of them shall frame and establish all proper and necessary rules and regulations for the management and internal discipline of the said police settlements, and shall from time to time, if expedient, alter and add to the same, regard being had to the due classification of the prisoners, and separation of the different sexes, and to the maintenance of cleanliness, order and sobriety among them; all which rules and regulations so to be made by the said commissioners as aforesaid shall be written or printed and hung up in some conspicuous place in the several houses of correction, and the several special justices and police officers are to govern themselves accordingly.

Clause 28. The persons who are declared visitors and inspectors of the respective police settlements.

And be it further enacted, that the Governor or Commander-in-chief of this Island for the time being, the Members of His Majesty's Council, and the Speaker of the General Assembly, are hereby declared to be visitors and inspectors of the several police settlements and houses of correction in this Island.

Clause 29. The commissioners shall meet every three months, to settle and audit the accounts of the respective establishments. The days on which they are to meet.

And be it further enacted, that the said commissioners or a board of them shall once in every quarter, or oftener if they deem it necessary, meet for the purpose of arranging the affairs and auditing the accounts of the said several police establishments, which meetings are to take place on the second Wednesday in January, the second Wednesday in April, the second Wednesday in July, and the second Wednesday in October in each and every year.

Clause 30. The special justices of the peace at each police settlement shall report to the commissioners, quarterly, the state and condition thereof, which report the commissioners are to submit to the legislature.

And be it further enacted, that the special justices of the peace having the superintendence of the said police establishments, shall once in each quarter make to the said commissioners a report of the state and effective strength and condition of the police force at each such settlement, and of the state of the buildings, and the state and conduct of the prisoners confined therein, which report the said commissioners are required to lay before the legislature of this Island as soon as practicable after it has been so received by them, with remarks thereon, as to them shall seem expedient.

Clause 31. In case of martial law, the police force to be under the command of the Governor, and to be subject to the rules, pains, penalties, &c. of the militia. Police officers to be exempted from militia duty, &c.

And be it further enacted, that in case of martial law being proclaimed, the said police force shall be under the immediate command of the Governor, or person in military command for the time being, to be employed in such service as he shall direct, in the same manner as the militia of this Island, and subject to the same rules and regulations, pains and penalties as by virtue of the several Acts which now are or at any time hereafter may be in force in regard to the said militia: provided always, that all persons engaged in the said police shall be exempted from militia duty, serving on juries, and as freeholders on appraisements.

Clause 32. The authorities granted under this Act to special justices shall not interfere with the powers vested in the police magistrates of Bridge Town.

Provided always, and be it further enacted, that the powers and authorities given to special justices and justices of the peace, or police officers and constables, under and by virtue of this Act, shall not interfere with the exclusive jurisdiction, authority, privileges and powers vested or to be vested in the police magistrates, superintendents of police and police officers by an Act of this Island, intituled, "An Act to establish a Police in Bridge Town, in the Parish of St. Michael."

Clause 33. Offenders not to be punished under this Act, and under the general law.

Provided always, and be it further enacted, that it shall not be lawful to prosecute and punish any person or persons both under this Act and under the general law for any offence or offences by him, her or them committed against the provisions of this Act.

Clause 34. A police officer, for obeying the warrant of a special justice, shall not be prosecuted, unless the justice be made a party; and if an action be brought against such justice and police officer, the jury shall find for the police officer, although a verdict be given against the special justice.

And be it further enacted, that no action shall be brought against any such police officer or other person acting by his order and in his aid, for anything done in obedience to the warrant of any special justice of the peace until demand hath been made or left at the usual place of his abode by the party or by his attorney in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and the same hath been refused or neglected for six days after such demand; and if after compliance therewith any such action shall be brought without making the special justice who signed such warrant defendant, or producing and proving such warrant at the trial, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in the justice; and if such action shall be brought jointly against such special justice and the police officer, on proof of such warrant the jury shall find for such police officer, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict be given against the special justice, the plaintiff shall recover his costs against him, to be taxed in such manner by the proper officer as to include such costs as the plaintiff is liable to pay to such defendant for whom such verdict shall be found as aforesaid.

Clause 35. Actions against a police officer for anything done under this Act,

And be it further enacted, that no action or suit shall be commenced against any such police officer for anything by him done in the exercise of his office until 14 days' notice thereof in writing shall have been given to such police officer, nor after a sufficient satisfaction,

tion, or tender thereof, hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and the defendant or defendants in such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be had therein; and if it shall appear that the same was done in the exercise of such office, or if such action or suit shall be brought after the time hereinbefore limited for bringing, or shall be brought without 14 days' notice thereof, or shall be brought after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuit, or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants hath or have by law for the recovery of costs of suit in any other cases.

when and how to be brought, what may be pleaded, and what given in evidence.

If not supported, the defendant to have treble costs, with his remedy for recovering the same.

— No. 11. —

Barbadoes.

AN ACT to Establish a Police in Bridge Town, in the Parish of St. Michael.— (Passed 29th July 1834.)

No. 11.

WHEREAS it is highly expedient that an effective police be immediately established in Bridge Town, in the Parish of St. Michael, be it therefore enacted by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same, the honourable the Members of His Majesty's Council, and the General Assembly of this Island, and by the authority of the same, that from and after the passing of this Act the vestry of the parish of St. Michael, or any 10 of them, shall have full power and authority from time to time to prepare bye-laws, ordinances and regulations relative to the several matters and things hereinafter mentioned; that is to say, touching and concerning all offences, evils and inconveniences whatsoever in the said town, or in the streets, squares or places therein, or within the careenage or Mole-head, relative to the exercising, using and carrying on dangerous, noisome or offensive trades of every kind in particular streets or places in the said town; relative to markets in the said town, (but not to extend to regulating or ascertaining the price of any commodity or article of provision which may be brought to sale within the said town); relative to the lighting of the said town in the night; for the better regulating seamen, soldiers and foreigners of every description in the said town, in respect of their being in the streets or elsewhere than in their respective ships, quarters, residences or lodgings in the night time and otherwise, as may appear expedient for preserving the peace of the said town; relative to all suspicious persons loitering about the town in the day or night time, and who can give no good account of themselves; relative to taverns, grogshops, punch or tippling houses, retailers of liquors of every description, hawkers, pedlars, hucksters, porters and boatmen, and to the fixing and regulating the rates at which licences may be granted to them respectively by the justices of the peace appointed to carry this Act into effect; relative to forestalling and regrating; relative to the assize of bread; relative to putrid, damaged or decayed provisions and commodities of every kind; relative to the building of houses within the limits of Bridge Town, or within 300 yards of such limits, and the materials of which such houses shall be constructed, so as to render the same less liable to take fire; relative to decayed buildings and vacant spots of land, and to all other nuisances of what kind soever in the said town, and the abatement of all such nuisances; relative to hogs, dogs and goats going at large or otherwise being in the said town; relative to the firing of squibs, rockets or other fireworks of every kind; relative to the firing of guns, pistols or other fire-arms of every kind; relative to the riding or driving of horses or other cattle of every kind and description whatsoever, furiously, carelessly or negligently in the said town, and to the breaking of horses in the said town; relative to the flying of kites in the said town; relative to the dispersing of all mobs, and for the punishment of all indecencies, swearing, quarrelling or improper behaviour in the streets of the said town; relative to the enforcing the due observance of the Sabbath; relative to trafficking in the streets; and relative to any matter or thing whatsoever which may concern the good government and police of the said town. And it shall be lawful for the said vestry, or any 10 of them, to fix and appoint in all such bye-laws, ordinances and regulations, such reasonable and adequate pains, punishments and penalties for the non-observance, non-performance or breach thereof, as shall seem requisite or expedient, so as such pains, punishments and penalties do not exceed the following limitations; that is to say, in case of a fine, the sum of 25*l.* current money of this Island; and in case of imprisonment the term of one calendar month, with or without being worked on the tread-mill, or on any public works: provided always, that such bye-laws, ordinances, and regulations shall be laid before the Governor, Council and General Assembly of this Island for their approval and confirmation, and the same shall be of no force or validity until they shall have been confirmed by the Governor, Council and General Assembly: provided always, that it shall not be lawful to proceed against or prosecute any person for breach of the said bye-laws, ordinances and regulations, unless complaint thereof be lodged against the offender within two months next after the offences shall be committed.

After the passing of this Act, the vestry of the parish of St. Michael, or any 10 of them, are to make bye-laws, &c. relative to the several matters and things after mentioned; viz.

All offences in the town; all dangerous trades, &c.

Markets.

Lighting the town at night; all suspicious persons loitering about the town.

Taverns, &c., and fixing the rates of licences to be granted them.

Forestalling, &c.

The assize of bread.

Damaged provisions.

Building of houses within the town.

Decayed buildings.

Hogs, dogs, &c.

The firing of squibs; firing of guns.

Riding or driving horses.

Flying of kites.

Dispersing of mobs.

Swearing, quarrelling, &c.

Enforcing the observance of the Sabbath; trafficking in the streets; and generally for the good government of the police of the town.

They are to impose pains and penalties for the non-observance of the said bye-laws. In case of fine, not to exceed 25*l.* currency, and imprisonment one month.

Proviso: Bye-laws not to be in force until confirmed by the Governor, Council and Assembly.

Proviso: No person to be prosecuted for any offence committed after the expiration of two months.

Clause 2. Complaints against offenders under this Act to be tried in a summary manner before the justices of the peace, appointed for carrying it into execution, and on conviction.

And be it further enacted, that every offender against the bye-laws, ordinances and regulations to be made, ordained and established as aforesaid, shall be tried and adjudged in a summary manner by and before the justices of the peace to be appointed for the purpose of carrying this Act into effect, or any two of them; and such justices of the peace or any two of them are hereby authorized, and required, upon any information exhibited or complaint made before them, to summon the party or parties accused, and the witnesses on either side, and in case the party or parties accused shall not appear on such summons (and after oath made of the commission of the offence), to issue a warrant or warrants for apprehending the party or parties offending, in case he, she or they shall be liable to be imprisoned for the offence; and upon the appearance of the party or parties accused, or his or their contempt in not appearing upon proof of being summoned, to proceed to the examination of the witness or witnesses upon oath (which oath they are hereby authorized, empowered and required to administer), and to give such judgment, sentence and determination as shall be just and conformable to law; and in every case of conviction by confession, or upon the oath of one or more credible witness or witnesses, the adjudication shall be executed as follows; that is to say, in case of fine (if the same be not paid) the justices before whom such conviction shall take place, shall issue execution under their hands and seals, for levying and recovering the same, as in the case of servants' wages, and the same shall be executed by a constable; and all fines imposed by this Act, or by any of the bye-laws, rules and regulations to be made in pursuance of this Act, shall be to the King's Most Excellent Majesty, his heirs and successors, for the uses declared by this Act, and when levied such fines shall be paid into the hands of the town clerk of the said town, for the time being, to be appointed as hereinafter mentioned; and every such execution shall contain a clause, that in case there cannot be found sufficient estate or effects of the offender to satisfy the said execution and all charges, that such offender or offenders be and stand committed to the common gaol of this Island, for a certain space of time, to be mentioned in such execution, not exceeding the term of one calendar month, without bail or mainprize, unless the same and all charges shall be sooner paid and satisfied, and in case of adjudication of imprisonment, the offender or offenders shall be taken by the body, and stand committed to the common gaol of this Island, or to the house of correction appropriated for the use of the parish of St. Michael, by warrant under the hands and seals of the said justices for the space of time (not exceeding one calendar month), which shall be adjudged, without bail or mainprize, and be worked on the tread-mill, or on any public works, if so required by such warrant.

The fines imposed shall be levied and raised as servants' wages to His Majesty, his heirs and successors, for the uses of this Act, and to be paid to the town clerk.

The execution to contain a clause to the effect herein mentioned.

Clause 3. The Governor in Council, by and with their advice, is to nominate three justices of the peace (not of the Council or Assembly) for carrying this Act into execution.

Proviso: What the justices are required to do, and what not.

Proviso: The Governor may suspend either of the justices for misconduct, &c., or in case of death, &c. of either of them, other or others shall be appointed, in manner aforementioned. The justices appointed shall take the oath here mentioned before the Governor.

And be it further enacted, that the Governor in Council is hereby authorized and required, immediately after the passing of this Act, by and with the concurrence of the Council, to nominate three justices of the peace (not being members of the Council, or of the General Assembly,) for the purpose of carrying this Act into effect; and such justices of the peace shall also inquire into, hear and determine all other matters cognizable by justices of the the peace: provided always, that it shall not be lawful for the justices of the peace who shall be appointed for carrying this Act into effect to go out of the limits of the said parish of St. Michael to take cognizance of any offences, nor shall they hear and determine any complaints for offences committed without the limits of the said parish of St. Michael; but it shall, nevertheless, be lawful for them, or either of them, to commit any person brought before them on a charge of felony committed in any other parish, and to examine witnesses touching the same: provided always nevertheless, and it shall and may be lawful for the Governor to suspend or remove any such justices of the peace for misconduct or incapacity, and in case of the death, removal for misconduct, absence from the Island, or incapacity to act of any one or more of such justices who shall be so appointed, some other justice or justices of the peace (not being of the Council, or of the General Assembly,) shall from time to time, as occasion may require, be in like manner appointed in his or their place or stead by the Governor in Council; and before entering on his office, every justice of the peace to be appointed under and by virtue of this Act, shall take the following oath before the Governor of the Island for the time being:

"I, *A. B.*, do solemnly and sincerely swear that I will, to the best of my ability, perform the several duties required of me under and by virtue of an Act of this Island, intituled, 'An Act to establish a Police in Bridge Town, in the Parish of St. Michael.' So help me God."

Clause 4. The time that the justices are to sit for hearing complaints.

And be it further enacted, that it shall be the duty of two of the said justices of the peace so to be appointed as aforesaid, to sit daily at an office, to be provided by the said vestry at the expense of the inhabitants of the town, from 10 o'clock in the morning until four o'clock in the afternoon, except Sundays, Christmas-day and Good Friday (unless prevented by other duties authorized by this Act which they may be called on to perform), for the hearing and determining of all complaints and cases cognizable by them.

Clause 5. Where the justices shall reside.

And be it further enacted, that the said justices of the peace shall reside within the limits of Bridge Town.

Clause 6. The justices appointed under this Act shall, on all complaints, receive the fees established by law; and no other justice shall receive any fee on any complaint,

And be it further enacted, that the said justices of the peace, on hearing of all complaints and cases which may be brought before them and heard in a summary manner, shall be entitled to and shall demand the fees established by law to be taken by justices of the peace, and that no other justice of the peace shall demand or receive, or be entitled to demand or receive, any fee whatsoever on any complaint made before him in the limits of Bridge Town, or one mile thereof, anything in any Act or Statute of this Island to the contrary contained notwithstanding

withstanding, and that any justice of the peace who shall demand or receive any fee or gratuity whatsoever contrary to the true intent and meaning of this Act, shall forfeit the sum of 50 *l.* for every such offence, to be recovered as in the case of servants' wages, and paid into the public treasury; and in all cases where any fine or fines shall be recovered before any of the justices of the peace appointed to carry this Act into effect, the party or parties who shall be adjudged to pay the fine or fines, shall also be adjudged to pay the fees which the said justices of the peace shall be entitled to demand, and all such fees shall be received by the town clerk appointed in pursuance of this Act; and when it shall be necessary to issue an execution for the recovery of any fine or fines, or sum or sums of money, the said justices of the peace issuing such execution shall insert the amount of all such fees as shall be payable by the party against whom such execution shall be issued, to the end that the same may be levied and raised at the time of levying and raising such fine or fines, or sum or sums of money mentioned in such execution; and in all other cases where fees shall become payable to the said justices of the peace, or to any police officers or constables, if the same be not forthwith paid by the person or persons liable to pay the same, it shall and may be lawful for the justices of the peace hearing and determining the complaint to issue an execution for the recovery of the same as in case of servants' wages; and in case, for the want of effects, the person of any offender shall be committed to prison for the nonpayment of fees, he or she shall be held in custody for the same for a time not exceeding one calendar month, unless the fees be paid within the said month.

under the forfeiture of 50 *l.* for each offence, recoverable as servants' wages, and paid into the treasury.

The party fined shall also pay all fees incurred thereby to the town clerk.

And be it further enacted, that the vestry of the said parish, or the major part of them, shall be and they are hereby authorized and required to nominate and appoint to the office of town clerk some fit person, not being a member of the said vestry, whose duty it shall be to receive all fees payable to the justices of the peace and police officers to be appointed under this Act, and all fines imposed by the said justices of the peace for the breach of any bye-laws, ordinances or regulations, to be and confirmed as aforesaid, and all other fines recovered before the said justices of the peace and payable for licences (and which licences the said justices of the peace, or any two of them, shall be and are hereby authorized and empowered to grant to such as they may think fit), which fines, fees and sums of money the said town clerk shall pay over to the treasurer of the Island, and take his receipt for the same; and the said town clerk shall once in every two months account to the said vestry for all sums received by him as aforesaid for fees, fines and licences; and such town clerk before entering upon his office shall himself, together with two sufficient sureties, to be approved of by the vestry, or the major part of them, give bond himself in the sum of 500 *l.* current money of this Island, and his sureties in the sum of 250 *l.*, like money, each, and such bond shall be taken in the name of the treasurer of the Island for the time being, and made payable to him and his successors in office, and the condition of the said bond shall be that the said town clerk shall pay into the treasury at the end of every month all sums of money that shall or may in any way come into his hands, or be received by him as town clerk, and that he shall also duly account with the said vestry for the same at the expiration of every two months; and it shall be the business of the said town clerk to attend the sittings of the said justices of the peace for the purpose of receiving the said fees, fines and sums of money due and payable for licences, and he shall use all due diligence in collecting the same; and such town clerk shall make an abstract from the records of the said justices of the peace in the form annexed, marked (A.), which abstract shall be made up monthly, and signed by two of the said justices of the peace to be appointed under this Act, who shall certify the correctness thereof under their hands, and the same shall be laid before the vestry of the said parish, and a copy thereof delivered by the said town clerk to the clerk of the House of Assembly; and the said town clerk shall be liable to be removed by the said vestry, or the major part of them, for breach of duty, or other misconduct, and any vacancy which may happen by his removal, death, absence from the Island, or incapacity, shall be supplied from time to time by the said vestry, or the major part of them, by some other person, not being a member of the said vestry.

Clause 7.

The vestry, or the major part of them, are to appoint a town clerk, who is to receive all fees payable to the justices and police officers, as also all fines and all sums for licences, which sums he shall pay to the treasurer, and once in every two months account to the vestry for the same.

The person appointed town clerk shall give a bond to the treasurer, himself in 500 *l.*, and two securities, 250 *l.* each, for the faithful execution of his duties.

He is to attend the sittings of the justices, to receive all sums payable to them, and to make an abstract of the records monthly, which shall be certified by two of the justices, and laid before the vestry, and a copy thereof delivered to the clerk of the Assembly.

For what cause he may be removed, and how his vacancy shall be supplied.

And be it further enacted, that the said justices of the peace are hereby required to make a record of the amount of all fees due in each particular case, and also a record of the amount of all fines imposed by them, and of all sums of money paid or payable for licences, and to furnish a copy of the same monthly to the treasurer of the Island for the time being.

Clause 8.

The justices are to furnish the treasurer, monthly, with a copy of all fees, fines and sums of money paid or payable for the licences, &c.

And be it further enacted, that the vestry of the said parish shall and they are hereby authorized and required to divide the said town into three separate districts, and to nominate and appoint one superintendent of police and 15 police officers, all able-bodied men, to each district; and such superintendents and police officers may be dismissed by the said justices of the peace so to be appointed as aforesaid, or any two of them, for misconduct or inefficiency, and all vacancies which shall happen by the death, dismissal, incapacity or otherwise, of the said superintendents, shall from time to time be filled up by some other persons, to be nominated and appointed by the Governor, by and with the consent of the Council; and all vacancies of the said police officers which shall happen in manner as aforesaid, shall from time to time be filled up by the justices of the peace to be appointed for carrying this Act into effect, or any two of such justices, by the appointment of some other fit persons; and the said vestry, or the major part of them, shall, at the expense of the inhabitants of Bridge Town, provide a station-house in each district for the accommodation of such police officers.

Clause 9.

The vestry are to divide the town into three districts, and to appoint to each one superintendent and 15 police officers, who may be dismissed by the justices.

Vacancies of superintendents and police officers, how to be supplied.

Clause 10. Duties of superintendents of the police districts.

And be it further enacted, that it shall be the duty of the superintendents of police of districts to regulate the conduct of the police officers in their respective districts, who are hereby declared to be under their immediate command, and every superintendent of police shall daily make a report at the office of the said justices of the peace, of all occurrences within his district touching any breaches or intended breaches of the peace which may have come to his knowledge, or of which he may have been informed, and of other information which he may deem material, and of the absence of any police officer or officers of his district from duty or of any neglect or dereliction of duty by any of the police officers under his command; and such superintendents are hereby declared to be responsible for the peace of their respective districts, and they are required to be actively and diligently employed in maintaining the same.

Clause 11. Duties of superintendents and police officers.

And be it further enacted, that the said superintendents and police officers shall by turns perform duty both day and night, so that a portion of them shall be constantly on duty, and shall patrol the streets and act as a town guard, both by day and night, for the protection of property and the preservation of peace and good order, and for enforcing the observance of the laws and bye-laws; and they are hereby authorized and required to apprehend all violators of the laws and bye-laws, and take them before the said justices of the peace, to be dealt with according to law, or to lodge complaint against such violators in cases where such offender shall not be liable to be apprehended in the first instance; and although the duties of the said superintendents and police officers will for the most part be performed within their respective districts, yet they are hereby declared to have full power to act as constables within the whole limits of Bridge Town, and within one mile of such limits.

Clause 12. The vestry are to regulate the ordinary duties of the superintendents and police officers, which they shall communicate in writing to the justices.

Superintendents and police officers are to wear distinguishing dresses, which, with arms, &c., are to be supplied by the treasurer.

Police officers to be tried for the causes here mentioned.

And be it further enacted, that the said vestry, or the major part of them, are hereby authorized and required from time to time, as they shall see fit, to make all necessary rules and regulations touching the duties to be performed in ordinary by the said superintendents and police officers, that is to say, respecting what times and in what manner and numbers they shall be ordered out to patrol the streets, and in what manner they shall be armed, and how long they shall continue on duty, which rules and regulations shall be in writing, and shall be communicated by the said vestry to the said justices of the peace and superintendent; and such superintendents and policemen shall wear such distinguishing dresses and badges as the said vestry, or the major part of them, shall direct; and such dresses and arms shall, in the first instance, be supplied by the treasurer of the Island at the public expense; and the said vestry, or the major part of them, shall also establish fines to be paid by the said superintendents and police officers for absence without leave or reasonable cause, to be allowed of by the said justices of the peace, or any two of them, or for other dereliction of duty, which fines shall be recoverable before the said justices in the same manner as servants' wages, and paid into the treasury.

Clause 13. The justices for the preservation of the peace may command the attendance of superintendents and police officers out of their districts.

At any large assemblage of the people, a police officer shall attend to keep peace.

The justices are to be responsible for the peace of the town, and whenever there shall be occasion, they shall swear in special constables.

And be it further enacted, that the said justices of the peace, or any two of them, shall on all extraordinary occasions, when it shall seem necessary for the preservation of the public peace, or to prevent the same from being broken, give such orders as they shall think proper for the attendance of the said superintendents and police officers, at such places and times as the said justices of the peace, or any two of them, shall think proper, which orders the said superintendents and police officers are hereby directed to obey, although such places may be out of their respective districts; and on all occasions where large bodies of the people shall be assembled together, the said justices of the peace, or any two of them, shall issue proper orders to the superintendents, or one or more of them, to attend with a sufficient number of police officers to preserve the peace at such meetings or collections of the people; and one or more of such justices of the peace shall also attend such meetings: And the said justices of the peace appointed for carrying this Act into effect are hereby declared to be especially responsible for the peace of the town, and they are hereby authorized and required to give such orders as they or any two of them shall think fit, to the superintendents and police officers for the due preservation thereof; and the said justices of the peace, or some or one of them, are hereby authorized and required, whenever they or he shall see proper occasion so to do, to appoint and swear in any number of the inhabitants of Bridge Town to act as special constables for the preservation of the peace: provided, nevertheless, that all persons who are exempt by law from serving the office of constable, shall not without their consent be compelled to act as special constables.

Clause 14. In the cases here mentioned, the superintendents, with a portion of police officers, shall attend, and act under the direction of any justice of peace present; and if no justice be present, then he shall take all necessary measures to preserve peace.

Proviso: Police officers not to execute writs but by order of the justices, and the superintendents and police officers shall be sworn before they enter upon their duties.

And be it further enacted, that the superintendents of the respective districts, or any one or more of them, are and is hereby authorized and required, in all cases of emergency, such as the quelling of any riot or riots, assisting in putting out any fire or fires, or other like necessary and pressing occasions, to attend out of his or their district or districts in any part of the town, or within one mile of the limits thereof, with such a portion or number of the police officers under his or their command as he or they shall think fit, and there to act in such manner as he or they shall be directed by any such justices of the peace, or any other justice of the peace who may be present; or in case there shall be no justice of the peace present or known to such superintendents or police officers to be present, such superintendents or police officers shall take such measures as to him or them shall seem proper to preserve the peace: provided always, that such police officers shall not be taken out of their respective districts to execute writs or other process, nor shall any such police officer be permitted, under pain of dismissal, to execute any writ or process whatsoever, at the request of any person or persons whomsoever, other than the said justices of the peace appointed for carrying this Act into execution; and every person who shall be appointed to act as a superintendent

intendent or police officer shall, before he shall enter upon the duties of his office, be sworn by the said special justices of the peace, or some or one of them, that he will faithfully, diligently, impartially, and to the best of his ability and knowledge, perform the several duties required of him by law.

Clause 15. The salaries to be allowed the justices of the peace, superintendents and police officers.

And be it further enacted, that the said justices of the peace, town clerk, superintendents and police officers so to be appointed by this Act, shall be paid salaries as follows, that is to say, each justice of the peace the sum of 300*l.* currency per annum, the town clerk the sum of 200*l.* currency per annum, each superintendent the sum of 200*l.* currency per annum, and each police officer the sum of 60*l.* currency per annum.

Clause 16. Disturbers of the peace to be taken before the justices, or either of them; and if the office shall not be open, the superintendent may commit the person, or take bail for his or her appearance.

And be it further enacted, that every superintendent of police and every police officer is hereby empowered and required while on duty to apprehend all loose, idle or disorderly persons whom he shall find disturbing the public peace, or whom he shall see cause to suspect of any evil design, or shall find lying, between sunset and sunrise, in any street or other place, or loitering therein and not giving a satisfactory account of themselves, and bring or cause every such person to be brought before the said justices of the peace or any of them, at their said office, to be dealt with according to law; and in case the said office shall not be open, then to commit every such person or persons to safe custody for the present: provided always, nevertheless, that the superintendent of police of the district in which such person or persons shall be apprehended, if he deem it prudent, shall be and he is hereby authorized to take bail of such person or persons for his or their appearance.

Clause 17. Any person resisting, or aiding or inciting any other person to resist a police officer in the execution of his duty, shall, on conviction, forfeit 10*l.*, recoverable as servants' wages, to the uses of this Act, or be imprisoned two months, unless the fine be sooner paid.

Proviso: Such person not to be exempt from being prosecuted under the general law, but he shall not be punished under both.

And be it further enacted, that if any person or persons shall assault or resist, or shall aid or incite any other person or persons to assault or resist any superintendent of police or police officer in the execution of his duty, every such person or persons, on conviction thereof before the said justices of the peace, or any two of them, shall forfeit and pay a sum not exceeding 10*l.*, to be recovered as servants' wages, and applied for the uses of this Act, and for want of effects to pay the same, shall be adjudged to be imprisoned for any time not exceeding two months, unless the fine be sooner paid: provided nevertheless, that this enactment shall not exempt any such person or persons from his or her liability to be prosecuted or sued under the general law: provided also, that such person or persons shall not be liable to be punished both under this Act and under the general law.

Clause 18. Superintendents and police officers to be invested with all authorities exercised by constables under any law of Great Britain or this Island.

And be it further enacted, that the superintendents and police officers to be appointed by virtue of this Act shall have, possess and exercise all the powers and authorities whatsoever as are had, possessed and exercised by constables, either by virtue of any Acts or Statutes of this Island, or of any Acts or Statutes of Great Britain and Ireland in force in this Island, or by the ancient law of the realm.

Clause 19. Actions against any justice of the peace or police officers, when, how, and for what cause to be brought.

The person sued may plead the general issue, and give this Act in evidence.

And be it further enacted, that no action or suit shall be commenced against any justice of the peace, superintendent, police officer, constable, or any other person, for anything by him done by virtue, or in pursuance of this Act, until 14 days' notice thereof in writing shall have been given to such justice of the peace, superintendent, police officer, or other person, nor after a sufficient satisfaction or tender thereof hath been made to the party or parties aggrieved, nor after six calendar months next after the fact committed; and the defendant or defendants in any such action or suit shall and may plead the general issue, and give this Act and the special matter in evidence at any trial to be held thereupon, and that the same was done in pursuance and by the authority of this Act, or in the exercise of any such office as aforesaid; and if the same shall appear so to be done, or if such action or suit shall be brought after the time hereinbefore limited for bringing the same, or shall be brought without 14 days' notice thereof, or after a sufficient satisfaction made or tendered as aforesaid, that then the jury shall find for the defendant or defendants; and if the plaintiff or plaintiffs shall become nonsuited or suffer a discontinuance of his, her or their action or suit, or if a verdict shall pass against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs, and shall have such remedy for recovering the same as any other defendant or defendants hath or have by law for the recovery of costs of suit in any other cases.

If the plaintiff be nonsuited, or suffer a discontinuance, the defendant shall have treble costs.

Clause 20. The treasurer is to pay the salaries of the justices of the peace and town clerk quarterly, and the salaries of the superintendents and police officers monthly. He is to keep an account of all sums paid by him, and the amount he shall receive from the town clerk.

The vestry, within 10 days after the passing of this Act, and annually after, on the day they impose other parochial taxes, are to impose a tax on all owners

And be it further enacted, that the treasurer of the Island shall pay, and he is hereby directed, without any further order for that purpose, to pay to the said justice of the peace and town clerk, by quarterly payments, such annual sums as aforesaid, and upon the order or certificate of the said justices of the peace, or any two of them, to pay by monthly payments as aforesaid the said annual sums hereinbefore granted to the said superintendents and police officers; and the said treasurer shall keep an account headed as follows; that is to say, "Dr.—Bridge Town Police with the Treasurer—Cr.;" and on the debit side of such account he shall charge all sums paid by him for salaries as directed by this Act; and on the credit side he shall place all sums received by him from the town clerk for fees, fines and licences, and the sum hereinafter required to be raised on the inhabitants of Bridge Town, towards the support of the said police establishment. And the said vestry of the said parish of St. Michael are hereby authorized and required, within 10 days after the passing of this Act, and also annually and every year on the same day or days wherein they affix or impose other parochial taxes, to lay an imposition or tax on all owners of houses and all traders and inhabitants of Bridge Town who shall by the said vestry be thought able to pay a tax, in such

of houses, and all traders and inhabitants of Bridge Town, in such ratio as they shall think fit, for raising 2,000 *l.* current money, towards the support of the police establishment, which being published in church, and confirmed by the Governor in Council, shall be collected by the churchwarden, who shall, after deducting thereout 300 *l.* for defraying the rent of a police-office and station-houses, pay the balance to the treasurer of the Island, by quarterly payments. The treasurer shall return 5 *l.* per cent. on all sums payable to him under this Act, except the amount he shall receive from the churchwarden.

such ratio and proportion to the rents of their houses and the profits of their trades and professions, as the said vestry shall in their discretion think fit, for raising the sum of 2,000 *l.* current money of this Island, per annum, towards the support of the said police establishment, over and above all other parochial taxes and assessments, which being published in the parish church, and allowed and confirmed by the Governor and Council in like manner as other parochial taxes and assessments, and an attachment under the hand and seal of the Governor for the time being granted for raising the same, shall be collected and raised by the churchwarden of the said parish of St. Michael in the same manner as the other parochial taxes collected and raised by him; and the said churchwarden for the time being of the parish of St. Michael shall and he is hereby directed and required, after deducting a sum not exceeding 300 *l.* current money as aforesaid, for and towards defraying the rent of the police office and station-houses before mentioned, to pay over to the treasurer of this Island for the time being the balance of the said sum of 2,000 *l.*, payable as aforesaid by the inhabitants of Bridge Town, in support of the said police establishment, by four equal quarterly payments, the same to commence and be computed from the end and expiration of 10 days next after the passing of this Act; and the said treasurer shall have and receive for his pains and trouble in attending to the directions of this Act a commission of 5 *l.* for every 100 *l.* which shall be received by or paid over to him under the authority of this Act, excepting the sums paid over to him by the churchwarden of the said parish of St. Michael, on which he shall not be entitled to charge commissions: and it is hereby declared, that the said sum of 2,000 *l.* per annum, hereinbefore directed to be raised by the said vestry, is hereby granted to the King's most Excellent Majesty, his heirs and successors, for the public use of this Island as aforesaid; and the said vestry and treasurer of the Island are hereby made liable to account to the King's most Excellent Majesty, his heirs and successors, for the due appropriation of the same in the manner aforesaid.

Clause 21. After the passing of this Act, the Act passed on the 26 October 1813 is repealed, except as here mentioned.

And be it further enacted, that from and after the passing of this Act, a certain Act of this Island which passed the 26th day of October 1813, intituled, "An Act to authorize and empower the Vestry of the parish of St. Michael to raise a sum not exceeding the sum of 2,000 *l.*, current money of this Island, in manner and for the uses and purposes thereinafter mentioned," shall be and the same is hereby declared to be repealed, except so far as it may be necessary to enforce the payment of any sum or sums of money already assessed by the said vestry in pursuance of the said Act, and the keeping up of the present town-watch until the police established by this Act shall be completed.

Clause 22. Declares who shall be exempt from militia duty, &c.

And be it further enacted, that the justices of the peace, town clerk, superintendents and police officers, who shall be appointed for carrying this Act into effect, shall be and they are hereby declared to be exempt from the performance of militia duty, serving on juries, and as freeholders on appraisements.

Clause 23. The appointment of constables not prevented. Proviso: Such constables to attend the office of the justices of the peace, to receive writs, &c., but they are not to watch at night.

And be it further enacted, that nothing in this Act contained shall extend or be construed to extend to prevent the appointment of constables for the parish of St. Michael at the quarter sessions, in the same manner as the same are now appointed for the said parish; provided always nevertheless, that the 12 constables selected from the inhabitants of Bridge Town by the justices of the peace holding such courts of quarter sessions, shall attend the office of the said justices of the peace to be appointed for carrying this Act into effect, for the purpose of receiving all writs, warrants, summonses and other process, and duly executing the same, and they shall be bound to obey all the lawful orders of the said justices of the peace, but they shall not be compelled to watch during the night.

Clause 24. Who shall be the Governor.

And be it further enacted, that within the meaning and for the purposes of this Act every person who for the time being shall be in the lawful administration of the government of this Island, shall be taken to be the Governor thereof.

SCHEDULE (A.)

FORM of ABSTRACT, referred to by the foregoing ACT.

Date.	Nature of Complaint.	NAME of Accused Party, or Defendant.	Judgment.	AMOUNT OF			TOTAL.
				Fees.	Fines.	Licences.	

— No. 12. —

Barbadoes.

AN ACT for the Temporary Establishment of a Rural Police for this Island:— 24 April 1835.

Preamble.

WHEREAS the Act for the Establishment of a Rural Police has been disallowed by His Majesty in Council: and whereas it is absolutely necessary, for the preservation of the public peace, that a rural police force shall be forthwith appointed; be it therefore enacted, by his Excellency Sir Lionel Smith, Knight Commander of the most honourable Military Order of the Bath, His Majesty's Captain-general and Governor-in-chief of this Island, Chancellor Ordinary and Vice-admiral of the same; the Honourable the Members of His Majesty's Council; and the General Assembly of this Island; and by the authority of the same; that it shall be lawful for his Excellency the Governor to nominate and appoint, immediately after the passing of this Act, the several sergeants, keepers of houses of correction and police officers for the respective districts hereinafter mentioned; that is to say, one sergeant and one keeper of the house of correction for each district, and that for the parish of St. Michael and town of Bridge Town, which shall form one of such districts (A), there shall be appointed eight privates to serve on horseback and eight privates to serve on foot; for the parishes of Christ Church and St. George, which shall form district (B), 12 privates to serve on horseback and 12 privates to serve on foot; for the parishes of St. Philip and St. John, which shall form district (C), 12 privates to serve on horseback and 12 privates to serve on foot; for the parishes of St. James and St. Thomas, which shall form district (D), eight privates to serve on horseback and eight privates to serve on foot; for the parishes of St. Peter and St. Lucy, which shall form district (E), 12 privates to serve on horseback and 12 privates to serve on foot; and for the parishes of St. Joseph and St. Andrew, which shall form district (F), eight privates to serve on foot and eight privates to serve on horseback: and when and so soon as they are respectively appointed to such situations, they shall hold and exercise their respective offices under such rules and regulations as shall be settled by the Council and Assembly, and approved of by the Governor or Commander-in-chief for the time being.

Clause 1. After the passing of this Act, the Governor shall appoint sergeants, policemen and keepers of the houses of correction, as here mentioned, for the several districts of the Island.

Rules for the guidance of the police to be settled by the Council and Assembly, and approved by the Governor.

2. And be it further enacted, that when any vacancies shall occur in any situation as aforesaid, it shall be lawful for the several special justices of the peace in their respective districts to appoint fit and competent persons to fill the same; provided that no such appointment shall be valid until the same shall have been confirmed by the Governor or Commander-in-chief for the time being.

Vacancies, how to be supplied.

3. And be it further enacted, that it shall be lawful for the several special justices in their respective districts to suspend the said several sergeants, keepers of houses of correction and policemen for misconduct or inefficiency, or wilful disobedience of the said rules and regulations; and that it shall be lawful for the Governor or Commander-in-chief for the time being to confirm or disallow such suspension, and, in case it shall seem fit, to dismiss the person so suspended by the special justice as aforesaid.

Suspension of police officers to be confirmed or disallowed by Governor.

4. And be it further enacted, that the several sergeants, keepers of houses of correction and police officers, appointed by virtue of this Act, shall be always on duty in such place in the respective districts to which they belong, as they have heretofore resided at, or which may be for that purpose provided for them, subject to the lawful commands of the several special justices in their respective districts, and to such rules and regulations as are hereinbefore directed to be made concerning the same; and the treasurer of the Island is hereby authorized to hire such places for the purposes aforesaid; and the said sergeants and policemen shall act as conservators of the peace for their respective districts, and they shall have, exercise and enjoy all the powers, authorities and immunities which are incident to the office of a constable or police officer, under any Act of this Island or any Act of the Imperial Parliament in force in this Island, which are by the general law vested in constables.

Regulations to be observed by police officers.

And they are to exercise the authority of constables.

5. And be it further enacted, that each of the sergeants hereby appointed shall be required to keep a good horse, and shall receive a salary at the rate of 130 *l.* current money of this Island per annum, and each of the said policemen serving on horseback shall receive a salary at the rate of 80 *l.* like current money per annum, and each policeman serving on foot shall receive a salary at the rate of 50 *l.* like current money per annum; and the keepers of the prisons hereby appointed shall receive a salary at the rate of 100 *l.* like current money per annum, which said several salaries shall be paid by the treasurer of the Island, in equal monthly payments, on the certificates of the several special justices of the peace, that the same are due.

Salaries to be paid monthly to sergeants and policemen, &c. on certificates from the special justice of the district.

6. And be it further enacted, that all apprenticed labourers committed to the house of correction hereinbefore mentioned, shall be subject to such rules and regulations as shall be framed by the said several special justices respecting their classification, maintenance and discipline, and to such punishments for disobedience of the said rules and regulations as apprenticed labourers are subject to under the Act for the abolition of slavery in this island: provided that no such rules and regulations shall be valid until they have been approved of by the Governor and Commander-in-chief for the time being.

Special justices to frame rules, &c. for apprenticed labourers, subject for the approval of the Governor.

7. And be it further enacted, that this Act shall continue in force for the period of six months from and after the passing of the same, and no longer.

This Act to be in force for six months.

BRITISH GUIANA.

Appendix (B.)

Colonial Laws.

No. 13.

— No. 13. —

BRITISH GUIANA, 1834.

AN ORDINANCE to establish and constitute Inferior Courts of Criminal Justice in *British Guiana.*

Preamble. Reference to order in Council of 20 June 1831, authorizing inferior courts of criminal justice to be instituted.

WHEREAS by an order of His Majesty in Council, bearing date the 20th June 1831, His Majesty has been graciously pleased to authorize the establishing of inferior courts of criminal justice within the colony of British Guiana, having jurisdiction to a certain extent as therein defined:

Expediency of instituting such inferior courts.

And whereas for the more ready correction and punishment of offenders, and for the due maintenance of the public peace and tranquillity, it is expedient to establish, constitute and erect within the said colony such inferior courts:

Justices of the peace in and for the colony of British Guiana to be appointed by the Governor.

Not less than three for each parish.

Berbice to be considered as four parishes.

1. Be it therefore enacted, by his Excellency the Lieutenant-governor of the colony of British Guiana, with the advice and consent of the Court of Policy thereof, that in addition to the fiscals of this colony, there shall be appointed by his Excellency the Governor, acting in the name and on the behalf of His Majesty, such other number of justices of the peace within the said colony, as shall be requisite for upholding the laws, and for the prompt administration of justice; provided however, that the said justices of the peace shall be appointed in the proportion of not less than three to each parish; the district of Berbice being considered for the purposes of this Act, equal to four parishes.

Each justice of the peace, before he enter upon his office, shall take an oath.

2. And be it further enacted, that each of the said justices of the peace, before he shall enter upon the duties of his office, shall appear before the Governor of the colony, and take and subscribe an oath to be administered to him by the Governor in the following terms:

Form of oath.

"I, *A. B.* do swear that I will to the best of my knowledge and ability, faithfully execute and perform the duties of the office of a justice of the peace, in and for the colony of British Guiana, without fear, favour or partiality. So help me God."

Every justice of the peace shall take cognizance of offences within the limits of his authority.

May refer complaint to the next sessions of an inferior court.

May commit accused party, unless bail be given for appearance before sessions.

3. And be further enacted, that every such justice of the peace shall take cognizance of any complaint which may be submitted to him against any person for such breaches of the law as may now or hereafter be defined to come within the limits of the authority of any such justice of the peace; every such justice of the peace being hereby empowered in every case where he considers it expedient to refer any such complaint to the next sessions of an inferior criminal court, and in the mean time to commit the accused party to prison, unless sufficient bail be given for the appearance of such accused party at the next session of such court.

Once in every month, or oftener, an inferior court of criminal justice to be convened in each parish.

To hear and determine all cases of breach of the peace.

Extent of punishments and fines limited.

4. And be it further enacted, that once in every month, or oftener if it shall be deemed necessary by any one of the fiscals, or by the senior justice of the peace of the parish, shall be convened a court of not less than three of such justices of the peace, which shall sit at any convenient place within the parish as shall be named by such fiscal or senior justice, and shall hear and determine all cases of breaches of the peace, petty thefts, and other offences committed within the respective jurisdiction of the supreme courts of criminal justice of the colony, and at every sessions of such inferior criminal court, the senior or any other justice of the peace as may be agreed among themselves shall preside, and such court shall have power to inflict a punishment not other than or exceeding imprisonment, with or without hard labour, for a term not exceeding three months, or fine not exceeding 20*l.*, or whipping not exceeding 39 stripes, this particular punishment being limited to males only; or any two or more of such kinds of punishment together within the limits aforesaid: provided, however, that if at any time before trial it shall appear to said court that the case before it is of such a nature as ought to be tried before a supreme court of criminal justice, such inferior court is authorized to commit the accused party to safe custody, or to admit him to bail, and to report the case to the fiscal for prosecution before either of the supreme courts of criminal justice of the colony having jurisdiction in such case.

Inferior court, before trial, may refer the case to the supreme court.

Chief justice, or one of puisne judges, may discharge from imprisonment or admit to bail.

5. And be it further enacted, that it shall be lawful for the chief justice, or first or second puisne judge, but for no other judge or justice of this colony, to discharge any person in a summary way from imprisonment before trial, or to admit him to bail, on proof being made to the satisfaction of such chief justice or puisne judge that such person ought in due course of law to be discharged or admitted to bail.

Any fiscal, if present in parish at the time of sessions, may preside.

No person to be tried by inferior court, unless it be formed of one fiscal and four justices.

6. And be it further enacted, that in the event of any one of the fiscals being in any country parish at the time of the sessions of the inferior court of criminal justice thereof being held, such fiscal shall, if he see fit, preside at such sessions, anything herein contained to the contrary hereof notwithstanding: provided, however, that no person of free condition shall be tried before any inferior court of criminal justice, unless one of the fiscals and four justices of the peace at least shall form such court, and at every sessions of an inferior court of criminal justice held in George Town or New Amsterdam, a fiscal shall preside, except prevented by illness or unavoidable absence, in either of which cases the senior or any other justice of the peace in each town shall take his place.

7. And

7. And be it further enacted, that every justice of the peace shall take down in writing notes of his examinations of all persons, a record of which, as well as of all other particulars of the cases which may be brought before him, he shall keep in the form hereunto annexed, which record shall be laid before the inferior court of criminal justice of the parish in which he may reside at each of its sessions, and a record book shall be kept in like manner by every inferior court of criminal justice of each parish in the colony, a copy of which record of such inferior court, together with copies of the records of the respective justices of the peace acting alone, shall quarterly be laid before the Governor and Court of Policy.

Every justice to take down, in writing, notes of examinations, and keep a record thereof, and of particulars of cases.

Every inferior court to keep a record of proceedings.

And be it further enacted, that whenever any slave shall commit any of the offences hereinafter pointed out and defined, it shall be lawful for the owner or person having charge or control of such slave, or for any other person having cause of complaint against any such slave, for or on account of any such offence, to apply to any one of the justices of the peace, setting forth in writing the nature of the offence, and when the same was committed or supposed to have been committed; and every such justice of the peace is hereby authorized and empowered to take cognizance of every such complaint; and in case the slave against whom such complaint is preferred shall, in the judgment of such justice of the peace, be deemed guilty of the offence wherewith he or she stands charged, and shall not be considered by such justice to merit or deserve any other greater or severer punishment than is hereby permitted and allowed to be adjudged by any single justice of the peace, the said justice of the peace shall be and he is hereby authorized to order and award such punishment to be inflicted upon such slave as may be commensurate with the offence, such punishment not to exceed 15 stripes with a cat-o'-nine-tails (this particular punishment being limited to males only), or imprisonment, solitary or otherwise, in the colonial gaol, house of correction, or other place of confinement previously approved by a duly licensed medical practitioner, with or without hard labour, on the tread-mill or otherwise, or hard labour or otherwise in or out of place of confinement during the day, as the case may require, for a period not exceeding 14 successive days, the offending slave in every case of confinement to be supplied with a sufficient quantity of farinaceous food once at least in every 12 hours, and with a proper allowance of water; and that no doubt may exist as to the nature of the offences of slaves punishable by this Act, be it, and it is hereby further declared, that the said last-mentioned offences are as follows: that is to say, neglect of work or duty, whether from obstinacy, determination on idleness, combination not to perform a reasonable portion of labour, and to yield obedience to proper orders at all times, or to comply with orders given in cases of emergency specified by law; creating a disturbance or riot; violence of language or gesture to those in authority over them; violence to any person by language, ill-usage or actual assault; indecency of conduct; insubordination; resistance to the infliction of any punishment awarded; aiding or assisting to prevent the same being carried into effect; refusing to obey an order to carry or aid in carrying the same into effect; inducing or persuading, or offering resistance to authority; refusal to obey orders; killing, cutting, chopping or ill-treating animals; neglect of person or depravity of habit; inflicting a wound or causing an artificial sore; wilful neglect of sores; practising or pretending to obeah; injury to property; wilfully injuring growing crops or produce, whether in process of manufacture or manufactured; wilful injury to machinery or property in or about the buildings; wilful injury to punts, boats or craft of other description; tradesmen, boilers, boatmen and others charged with particular trusts, wilfully neglecting and injuring their immediate charge; wilful injury to property generally, whether of sluices, dams, bridges, provisions, provision grounds and other matters, which can legally be considered property; or endangering property by fire; wantonly trespassing on premises; or entering upon lands or other buildings without permission from the owner or occupier thereof; selling or bartering their allowance of clothing and provisions without permission of owner or person in authority over them; ill usage and carelessness of their clothing, provisions and tools, or improperly making away with either; theft, whether accompanied by a fraction or otherwise, principals as well as accessories; running away, whether accompanied by any act of insubordination herein defined or theft; living by plunder or as bush negroes; or attempting to leave the colony, or enticing or persuading others to do so; absenting themselves from the estate or premises after eight o'clock at night without permission; harbouring runaways; intoxication, gambling in, or out of houses; holding meetings or dances without lawful permission, or being present thereat without permission; galloping of horses through the streets; riding or driving furiously; and for not keeping on the proper side of the road; crowding on public roads, streets, bridges or stellings, to the obstruction of passengers or the annoyance of the neighbours; committing nuisance; carrying fire-arms without a pass from the owner or person in authority over them, or being accompanied by such person carrying weapons or bludgeons on the roads, streets or elsewhere, cutlasses for agricultural purposes excepted during the day, and weapons for the use of watchmen by day and night; firing guns, crackers or squibs, or wantonly occasioning alarms; trafficking in sugar, rum, molasses, coffee, cocoa or plantains, without a pass from some person in authority over them; refusing to work for hire, according to the Act regulating the conduct of registered cart drivers and porters.

Every justice of the peace may take cognizance of offences committed by slaves.

Complaint to be in writing.

Power of single justice of the peace restricted to 15 stripes.

Confinement for 14 successive days.

9. And be it further enacted, that if any person shall compel, or shall by any means hire or induce any slave to perform or engage in any labour on any of the six working days of the week, without the sanction or authority of the owner, manager or other person having the care, charge or superintendence of such slave, such person so offending shall, on conviction

No person to hire a slave on a week-day, without authority from owner, &c.

thereof before an inferior court in respect of every such slave, incur a fine of not less than 20*s.*, nor more than 10*l.*

Justices of the peace, and inferior courts of criminal justice, to administer oaths.

10. And be it further enacted, that in all cases of which any justice of the peace, or inferior court of criminal justice, is hereby, or shall hereafter be required or authorized to take cognizance, it shall and may be lawful for such justice or inferior court, and he or it is hereby authorized and empowered to administer an oath or oaths, affirmation or affirmations, to any person or persons to whom it shall and may be right and proper to administer such oath or oaths, affirmation or affirmations.

Authority of every justice of the peace to extend over the whole colony.

11. And be it further enacted, that for the purposes of this Act it shall be lawful for any justice of the peace of this colony to take cognizance of any offence committed in any other parish than that in which he may reside, and to form one of any inferior court of criminal justice holding its sessions in any parish of the colony, and that to all and every warrant or summons issued by any justice of the peace due obedience throughout the colony shall be paid.

No justice of the peace, being the owner or manager of a slave, to convict, or assist in the conviction of, such slave.

12. And be it further enacted, that no justice of the peace who shall be the owner or manager of any slave shall be authorized by himself, or in conjunction with any other justice or justices of the peace, to adjudge, by conviction or otherwise, any such slave to punishment under or by virtue of this Act; and that every justice of the peace who shall be convicted of knowingly committing any such offence, shall be liable and subject to the like penalties and punishments hereinafter provided and declared against any person punishing a slave by whipping.

Persons convicted in fine and penalty, and not paying, to be committed to gaol.

13. And be it further enacted, that if any person who shall by any inferior court of criminal justice be adjudged under and by virtue of this Act to pay any fine, penalty or sum of money, such person shall, if the fine be not forthwith paid, be committed, if in Demerara or Essequibo, to the common gaol in George Town, or if in Berbice, to the common gaol in New Amsterdam, for any term not exceeding two calendar months, unless payment be sooner made.

Imprisonment may be solitary or otherwise, with or without hard labour, at discretion of inferior court.

14. And be it further enacted, that when any person shall be convicted by an inferior court of criminal justice of any offence punishable under this Act for which imprisonment may be awarded, it shall be lawful for such inferior court to adjudge the offender to be imprisoned, or to be imprisoned and kept to hard labour, in the common gaol or house of correction, or other place of confinement, previously approved by a duly licensed medical practitioner; and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour, as to the court shall seem meet.

Justices of the peace to appoint constables, and for what purposes.

15. And be it further enacted, that every justice of the peace shall appoint and swear in such persons in the parish in which he resides as he shall think fit to act as constables generally, or for any special purpose, which constables shall obey and execute all warrants and orders of the inferior courts of criminal justice, and of all and every the justices of the peace; and that to all such constables being so appointed due obedience shall be paid in the execution of their offices, and that every justice of the peace in either George Town or New Amsterdam to whom a complaint shall be made, shall, if he think fit, refer the same to the fiscal or other sitting magistrate.

Obedience to be paid to constables.

A person in the act of committing an offence, in this Act, may be arrested without warrant.

16. And for the more effectual apprehension and discovery of all offenders punishable under this Act, be it enacted, that any person found committing any offence punishable by virtue of this Act may be immediately apprehended, without a warrant, by any peace officer, or by the owner of the property on or with respect to which the offence shall be committed, or by his servant, or any person authorized by him, and forthwith taken before some neighbouring justice of the peace to be dealt with according to law; and if any credible witness shall prove upon oath before a justice of the peace a reasonable cause to suspect that any person has in his possession, or on his premises, any property whatsoever on or with respect to which any such offence shall have been committed, the justice may grant a warrant to search for such property; and any person to whom any property shall be offered to be sold, pawned or delivered, if he shall have reasonable cause to suspect that any such offence has been committed on or with respect to such property, is hereby authorized, and if in his power, is required to apprehend, and forthwith to carry before a justice of the peace, the party offering the same, together with such property, to be dealt with according to law.

A justice of the peace, on good grounds of suspicion, may grant a search warrant.

Any person to whom stolen property is offered, may seize party offering it.

Ordinance of 1 March 1832 repealed.

17. And be it further enacted, that from and after the publication of this ordinance, an ordinance entitled "An Ordinance to define Offences committed by Slaves, and to establish a summary Jurisdiction for the Punishment thereof," passed by this court on the 1st March 1832, shall be and the same is hereby repealed; the powers hitherto held by the deputy-fiscals in Demerara and Essequibo, and by the civil magistrates in Berbice, not particularly specified in this ordinance, and not being repugnant to the tenor hereof, being hereby transferred to the justices of the peace; and in all ordinances of this court, or Acts or ordinances, or resolutions of the former courts of policy, or civil government of the respective late colonies, now districts of Demerara and Essequibo, and of Berbice, wherein the deputy-fiscals or civil magistrates are mentioned, the same shall be hereafter taken and held to apply to the justices of the peace: provided, however, that all offences heretofore committed against the said last-mentioned ordinances, and not already punished, shall be punishable under and by virtue of this Act.

Powers of deputy fiscals transferred to justices of the peace.

Punishment of offences against ordinance of 1 March 1832, reserved.

18. And

18. And be it further enacted, that on and from the 1st day of March 1834 the punishment of slaves by whipping, except upon conviction before a justice of the peace, or an inferior court of criminal justice, or by sentence of either of the supreme courts of criminal justice of this colony, shall be, throughout the colony of British Guiana, unlawful and illegal; and every owner, manager, or other person, who, having the care and charge of any slave, shall inflict, or directly or indirectly cause to be inflicted, upon any slave a punishment by whipping, shall, upon conviction thereof before an inferior court, be liable to pay a fine not exceeding 20 *l.*, with or without imprisonment, not exceeding three months: provided, however, that this shall not be construed to prevent the correction or punishment of children of both sexes under the age of 10 years, in the same manner and to the same extent as children at school.

On the 1st March 1834, punishment of slaves by whipping, except upon a conviction before a justice of the peace or inferior court, or in virtue of sentence of supreme court, illegal.

Except the correction of children under the age of 10 in the same manner, and to the same extent, as children at school.

19. And be it further enacted, that all fines and pecuniary penalties incurred and levied under this Act shall be paid into the colonial chest of the colony.

Application of pecuniary fines and penalties.

20. And be it further enacted, that the summonses, warrants, convictions, commitments, bail-bonds, recognizances of witnesses to be used and oaths to be administered by the said justices, when acting singly, shall be in the forms annexed.

Forms of summonses, &c. to be used by single justice.

And that no ignorance shall be pretended of this our ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Extraordinary Assembly, held at the Court House, George Town, Demerara, this 22d day of January 1834, and published the 23d, following.

(signed) *J. Carmichael Smyth.*

— No. 14. —

British Guiana, 8 February 1834. No. 14.

AN ORDINANCE for the Classification and Registration of Slaves hereafter to become and be Apprenticed Labourers.

ORDINANCE enacted by his Excellency Major-general Sir James Carmichael Smyth, Baronet, Companion of the most honourable the Military Order of the Bath, Knight Commander of the Royal Order of Hanover, Knight of the Austrian Imperial Order of Maria Theresa, Knight of the Russian Imperial Order of St. Waldimir, Lieutenant-governor and Commander-in-chief in and over the Colony of British Guiana, Vice-admiral and Ordinary of the same, &c. &c. &c., by and with the advice and consent of the Honourable Court of Policy of the said Colony.

Unto all to whom these presents shall or may come greeting, be it known:

WHEREAS, by the fourth section of an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the third and fourth years of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," after reciting that whereas it was expedient that all such apprenticed labourers should, for the purposes thereinafter mentioned, be divided into three distinct classes, the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands belonging to their owners; the second of such classes, consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes; it was therefore enacted that such division as aforesaid of the apprenticed labourers into such classes as aforesaid, should be carried into effect in such manner and form, and subject to such rules and regulations as should for that purpose be established under such authority and in and by such Acts of Assembly, ordinances, or orders in Council as thereinafter mentioned: provided always, that no person of the age of twelve years and upwards should by or by virtue of any such Act of Assembly, ordinance, or order in Council, be included in either of the said two classes of prædial apprenticed labourers, unless such person should for twelve calendar months at the least next before the passing of that present Act have been habitually employed in agriculture or in the manufacture of colonial produce: and whereas, by the 16th section of the said Act of Parliament, after reciting that whereas it was necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said colonies respectively, whether he or she belonged to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, it was enacted and declared that nothing in that Act contained extended, or should be construed to extend, to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the ad-

vice of His Privy Council, of any such Acts of General Assembly, or ordinances, or orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect: and whereas it is essential to the interests of all concerned in this colony, that the rules and regulations for the purposes hereinbefore recited should be framed and established with as little delay as possible:

Sect. 1. Be it therefore enacted, by his Excellency the Lieutenant-governor of the colony of British Guiana, with the advice and consent of the Court of Policy thereof, that, on or before the 1st day of May of this present year 1834, every person who shall be resident within this colony, and who, on the 20th day of March next, shall be in possession of any slave or slaves within the same, whether as proprietor, attorney or trustee, or in whatever other name or title he may hold the same, not herein described, shall respectively make and deliver into the office of the registrar of slaves of the respective districts of Demerara and Essequibo, and of Berbice, to which such slave or slaves may belong, such schedule or schedules, in writing, as are hereinafter mentioned; that is to say, every person in possession of any slave or slaves as aforesaid, shall so make and return a schedule in writing, in duplicate, of every slave in his or her possession on the said 20th day of March next, therein specifying, in the first place, his or her own name and description, and the name and description of such other person or persons, being the owner or owners of such slave or slaves, on whose behalf the schedule is made, together with the name of the plantation (if any) to which such slave or slaves is or are attached, and the right or character in which the party making such schedule holds possession of and claims title to such slave or slaves, namely, whether as proprietor, attorney or trustee, or otherwise; and after such descriptions as aforesaid, shall proceed to name, describe and enumerate distinctly the several Negro, Mulatto and other slaves belonging to the said owner or owners, in manner following; that is to say, the schedule shall be divided into nine columns, of convenient breadth, respectively entitled at the heads thereof, sex, name, colour, age, bodily marks, condition, country, employment and class; and in the first of the said columns shall be inserted the sex of each slave; in the second the name of each slave, by which he or she has been usually called or known; in the third column shall be inserted the colour of each slave, including, under the term coloured, all those who are not black; in the fourth column shall be inserted the age of each slave; in the fifth column shall be inserted a specification of all particularly conspicuous bodily marks, by which each slave may be known and identified; in the sixth column shall be inserted the condition of the slave, whether invalided, superannuated or able; in the seventh column shall be inserted whether the slave is an African or Creole; in the eighth column the habitual occupation or employment of each slave, for 12 calendar months at the least next before the 28th day of August 1833; and in the ninth column the class to which the person making the schedule conceives the slave, when in a state of apprenticeship, will belong; that is to say, whether to the first, second or third class, as above stated, using the letters P. A. for prædial attached apprenticed labourers, P. U. for prædial unattached apprenticed labourers, and N. P. for non-prædial apprenticed labourers.

2. And for the better ascertaining of the proper forms of such schedules of slaves as are hereby required to be made, and that every person may strictly adhere thereto, a form of such schedule is to this Act annexed, to which all persons are required to conform.

3. And be it further enacted, that for the purpose of making the schedules by this ordinance required, every person shall and may, during office hours, have free access to and examination of the records of the registration of slaves in the slave registrars' offices of this colony respectively, every person paying the sum of one guilder for such access and examination; and each of the said registrars of slaves in this colony is hereby further directed and required, upon application for the same, to give copies in writing, certified by himself, of every schedule that may be desired, the person desiring the same paying for each copy so required the sum of 10 stivers, if the number of slaves therein contained does not exceed five, and if exceeding five, the further sum of one guilder 10 stivers for any number from six to 20 inclusive; and for every slave exceeding 20, the sum of one stiver.

4. And be it further enacted, that every person making any and every such schedule shall, at the time of delivering the same to the registrar of slaves in the appropriate district, take the following oath, which the said registrar is hereby empowered and required to administer; that is to say,

"You do swear that the schedule now by you given in contains a true and exact account, description and classification, according to the several particulars therein specified of all the slaves, on the 20th day of March 1834, attached or belonging to the plantation, called in or on that date, belonging to you, or in your possession [*if an owner*], or on that date belonging to, or in possession of [*name the owner or possessor*], within this district, according to the best of your judgment, knowledge, information and belief. So help you God."

Provided nevertheless, that in case any owner or possessor of slaves resident in this colony shall, from sickness or any bodily infirmity, be prevented from attending the registrar of slaves in the appropriate district, to deliver such schedule of his or her slaves as hereinbefore is directed, it shall and may be lawful for any other person, in behalf of such owner or possessor, to give in such his or her schedule in the form hereinbefore prescribed, such person

person so giving in for another, at the time of delivering such schedule, taking the following oath before the said registrar of slaves in the appropriate district, who is hereby empowered and required to administer the same:

"You do swear that the person for whom you are now about to give in a schedule of slaves is prevented doing so in his or her own proper person from illness or bodily infirmity, and that the schedule by you now given in was signed by such person in your presence, and that the same contains a true and exact number, description and classification of all the slaves within this district, belonging to, or in the possession of the said on the 20th day of March 1834, according to the best of your judgment, knowledge, information and belief. So help you God."

5. And be it further enacted, that at the expiration of the period hereinbefore specified for giving in the schedules required by this ordinance, the utmost publicity of the nature, object and intention of the same shall be given to all and every slave throughout this colony, by the respective fiscals, protectors, assistant-protectors and justices of the peace in and for the same, in manner and form and agreeably with such instructions as shall be communicated or made known to them by his Excellency the Lieutenant-governor; and that it shall be the duty of each and every of the said fiscals, protectors, assistant-protectors and justices of the peace to take down in writing all and every objection which shall or may be made to him by any slave to his remaining in the class in which he or she shall be put or placed by his or her owner, or other person having charge of him or her; and on or before the 1st day of June 1834 to make a true and accurate return of all and every such objection or objections, and to deliver every such return into the registrar's office to which it may belong, on or before the day and year last aforesaid.

6. And be it further enacted, that as soon as the returns of objections by the fiscals, protectors, assistant-protectors and justices of the peace shall have been made and delivered in to the offices of the registrars of slaves in and for the respective districts aforesaid, it shall and may be lawful for the said respective registrars, in the presence of the respective protectors or assistant-protectors of slaves, to examine and investigate all such returns, and upon the evidence afforded by such returns, and by the records of his office, either to confirm or correct any such schedule as he may see fit, in a blank column to be added for that purpose, giving in all cases of correction to the parties making such schedule notice of every such correction; and if either the party making the schedule, or the protectors or assistant-protectors of slaves shall be dissatisfied with the correction of such registrars, such party may, on his or her own behalf, and the protector or assistant-protector may, on the behalf of such slave, bring the matter before the judges of the supreme courts of this colony, in manner and form hereinafter stated, for hearing and decision.

7. And be it further enacted, that the judges of the said supreme courts shall make all necessary rules for bringing before them for hearing and decision, in a summary way, all such matters, and for regulating the proceedings on the same in the manner which may be most conducive to method, punctuality and dispatch; and that every decision of such courts respectively shall be final and conclusive.

8. And be it further enacted, that when such proceedings as aforesaid shall have taken place, there shall be affixed in another column, to be added in each schedule for that purpose, the class to which the court in any disputed case shall decide the apprenticed labourer belongs, the said class being designated by the letters P. A. for each prædial attached apprenticed labourer, P. U. for each prædial unattached apprenticed labourer, and N. P. for each non-prædial apprenticed labourer, upon which all schedules, whether the same shall have been objected to or not, shall be bound up in as many volumes as shall be convenient, and shall form the registry of apprenticed labourers, in and for the respective districts of Demerara and Essequibo, and of Berbice, to which they belong; and during the continuance of the apprenticeship the registry so formed or corrected as aforesaid, shall be deposited amongst the records of the superior courts of this colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

9. And whereas by the said Act of Parliament no person will be entitled to the services of any apprenticed labourer unless the class to which such apprenticed labourer belongs shall be previously ascertained and registered; but such accidental omissions may occur; be it therefore further enacted, that it shall be lawful for any party who may have omitted to make and deliver in a schedule as aforesaid, on or before the 1st day of May 1834, in respect of one or more slaves whose services as an apprenticed labourer or labourers may be claimed by such party, to apply to the Governor by petition to make and deliver in a schedule of such omitted slave or slaves; and upon such application being granted before the 1st day of July 1834, the same rules and regulations applicable to the classification and registering of all other slaves as apprenticed labourers, shall be strictly observed; and if any such petition to the Governor shall be granted on or after the 1st day of July 1834, such last recorded petition and order thereon shall be brought before the chief justice for his decision in a summary way; and such decision shall be recorded in the registry of apprenticed labourers as aforesaid; upon which being done, the party claiming the services of any one or more apprenticed labourer or labourers who shall have been so omitted, shall be entitled thereto, anything herein contained to the contrary notwithstanding.

 10. And

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Appendix (B.)
Colonial Laws.
No. 14.

10. And be it further enacted, that any person neglecting or omitting to make and deliver in the schedule or the affidavit before mentioned, or to attend when duly summoned, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*

11. And be it further enacted, that all fines and pecuniary penalties incurred under this ordinance shall be recovered by parate execution, in the name or at the instance of the colonial receiver-general, or assistant colonial receiver-general, and be paid into the colonial chest of the colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our Ordinary Assembly held at the Court-House, George Town, Demerara, this 8th day of February 1834, and published the 11th following.

(signed) *J. Carmichael Smyth.*

By command of the Court,

(signed) *Charles Wilday*, Secretary.

SCHEDULE.

DEMERARA and ESSEQUIBO (or BERBICE) Registration of Apprenticed Labourers,
Parish of

THE RETURNS of SLAVES belonging to in the lawful possession of on the 20th March 1834, having reference to Schedule, No. registered, folio in the Register of Slaves for the 31st of May

Sex.	Name.	Colour.	Age.	Bodily Marks.	Condition.	Country.	Employment.	Class.	——

— No. 15. —

No. 15.

British Guiana.

AN ORDINANCE for the Government and Regulation of Apprenticed Labourers.
8 March 1834.

CAP. I.

Preamble recites the 16th sect. of 3 & 4 Will. 4, c. 73.

WHEREAS by the 16th section of an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the 3d & 4th years of His Majesty's reign, intituled "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;" after reciting, that "Whereas it was necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belonged to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which, and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship might be effected, and for prescribing the form and manner in which, and the solemnities with which the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship without or in opposition, if necessary, to the consent of the person or persons entitled to his or her services should be effected, and how the necessary appraisement of the future value of such services should be made, and how and to whom the amount of such appraisement should in each case be paid and applied, and in what manner, and from and by whom, the discharge from any such apprenticeship should thereupon be given, executed and recorded; and that it was also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he

he or she might voluntarily enter for any hired service during the time in which he or she might not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship from the Colonies to which they might respectively belong:" And after further reciting, that "Whereas it would further be necessary, for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they were in the said Act before declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws then existing in any such Colony might not, in the case of slaves, have made any regulation or any adequate regulation for that purpose; and that it was also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same:" And after further reciting, that "Whereas it was necessary, in those cases in which the food of any such prædial apprenticed labourers as therein aforesaid might either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds might be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers were thereinbefore declared liable to labour:" And after further reciting, that "Whereas it might also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they were not thereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers were thereby required to labour in the service of such their respective employers; and that it was also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same, but that it might be necessary by such regulations, in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and appointment amongst the whole body of such labourers of any task-work which the majority of such body should be willing and desirous collectively to undertake; and that it was also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers might enter with their respective employers, or with any other person, for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract might extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire; and that it was also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which might be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services; and that it was also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as therein aforesaid should be made on behalf of such children as therein aforesaid, and respecting the registering and preservation of all such indentures:" And after further reciting, that "Whereas it was also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge, by the justices of the peace holding special commissions as therein aforesaid, of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as might be brought before them in that capacity, and for the division of the respective Colonies in said Act mentioned into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it was also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties:" And after further reciting, that "Whereas such regulations as aforesaid could not without great inconvenience be made, except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extended;" it was therefore enacted and declared, that nothing in that Act contained extended, or should be construed to extend, to prevent the enactment by the respective Governors, Councils or Assemblies, or by such other local Legislatures as therein aforesaid, or by His Majesty with the advice of his Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as therein aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, that it should not be lawful for any such Governor,

Council and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances or Orders in Council as therein aforesaid, to make or establish any enactment, regulation, provision, rule or order which should be in anywise repugnant or contradictory to that present Act or any part thereof, but that every such enactment, regulation, provision, rule or order should be and was thereby declared to be absolutely null and void and of no effect. And whereas it is necessary that provision should be made for establishing in the Colony of British Guiana the aforesaid rules and regulations, and for carrying the same into full and complete effect:—

British Guiana divided into 14 districts.

1. Be it therefore enacted, by his Excellency the Lieutenant-governor of British Guiana, with the advice and consent of the Court of Policy thereof, that the Colony of British Guiana shall be divided into not less than 14 judicial districts; and that it shall be competent for the Governor, by and with the advice and consent of the Court of Policy, to define, and as occasion may require to alter, the limits of such districts.

Special justices of the peace appointed.

2. And whereas by the 14th sec. of the said Act of Parliament it was enacted, that it should and might be lawful for His Majesty to issue, or to authorize the Governor of any such Colony as therein aforesaid, in the name and on the behalf of His Majesty to issue, under the public seal of such Colony, one or more special commission or commissions to any one or more person or persons, constituting him or them a justice or justices of the peace for the whole of any such Colony, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to that present Act, and to any laws which might in manner thereinafter mentioned be made for giving more complete effect to the same: Be it therefore further enacted, that such special justices shall be so appointed in the proportion of not less than three for each of the districts in this ordinance mentioned.

Special justices of the peace to take oath of office.

3. And be it further enacted, that before any special justice of the peace shall enter upon the duties of his office he shall appear before the Governor of this Colony, and in his presence take and subscribe an oath, which the said Governor shall administer in the following terms:

"I, *A. B.*, do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of the office of a special justice of the peace in and for the Colony of British Guiana, without fear, favour or partiality. So help me God."

Police settlements established.

4. And be it further enacted, that in each district shall be set apart a sufficient extent of land, which, with the buildings to be erected thereon, shall be called the Police Settlement of the district, and that every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district; and that, independently of the police settlement in each district, it shall be lawful for the chairman or sessions of each district to license in each district places of temporary safe custody, situated at convenient distances from one another.

Land for the same how to be obtained.

5. And be it further enacted, that for the formation of the police settlements the Governor shall appropriate any waste lands of the Crown which may be situated conveniently for that purpose; and in districts where such Crown lands cannot be found, shall by exchange, or if necessary by purchase, procure the lands wanting for the purpose.

Temporary police settlements.

6. And be it further enacted, that until permanent police settlements can be provided and proper buildings erected, suitable arrangements, by hire or otherwise, shall be made by the Governor, with the advice and consent of the Court of Policy, for providing buildings to be occupied temporarily as police settlements.

Houses of correction and penal gang.

7. And be it further enacted, that at each police settlement shall be erected a house of correction, and shall be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour at such settlement.

Employment of members of police settlement and of penal gang.

8. And be it further enacted, that the members of the police settlement, when not engaged in actual service as policemen, shall be employed in the erecting or repairing of the buildings of the settlement to which they belong; and the penal gang of each police settlement shall assist in such labour, as well as perform such other work or labour connected with the maintenance of the settlement as may come under the designation of hard labour: and moreover, the penal gang, when not employed at police settlement, as often as the chairman of the district may direct, shall, under the superintendence of the sergeant of the police settlement, or in his absence of some other member of the police, be hired out to hard labour, on the public account, in the service of any person who may be willing to hire such labour.

Superintendence of police settlement.

9. And be it further enacted, that every police settlement shall be placed under the immediate superintendence of the chairman of the district sessions, who shall reside thereat or in the immediate vicinity thereof.

One sergeant and ten privates at each police settlement.

10. And be it further enacted, that each police settlement shall consist of one sergeant and not more than 10 privates, all being able-bodied men, between the ages of 20 and 50 years; and that such sergeant and privates of police shall be appointed by the Governor, and shall be liable to be removed by him for bad conduct or inefficiency; and that every sergeant and private shall be liable to be suspended from office by the chairman of the sessions of the district to which he belongs, subject to the Governor's confirmation or disallowance of such suspension.

11. And be it further enacted, that, in addition to the police forces stationed at each police settlement, the district sessions shall appoint and swear in such persons in the district as they shall think fit, to act as headboroughs or constables within the district. Headboroughs and constables.

12. And be it further enacted, that a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein, shall once in every quarter be made to the Governor and Court of Policy, by the chairman of the district. Quarterly reports to Governor and Court of Policy.

13. And be it further enacted, that the Governor and Court of Policy shall from time to time establish rules necessary for the internal discipline of the said police settlements; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. Rules of discipline to be established.

14. And be it further enacted, that the sergeant and privates of each police settlement shall be provided with a uniform, and with such weapons and accoutrements as may be best adapted to the service in which they are engaged. Sergeant and privates to be provided with a uniform.

15. And be it further enacted, that the privates in each settlement shall receive pay at the rate of per diem, and the sergeant shall be paid at the rate of per diem; and that as vacancies occur, privates shall for good conduct be promoted to be sergeants. Pay of sergeants and privates.

16. And be it further enacted, that before any sergeant or private of any police settlement, or any headborough or constable of any district, shall enter upon the duties of his office, he shall appear before the chairman of the district sessions in and for which he may be so appointed, and in his presence shall take and subscribe an oath, which such chairman is hereby authorized and required to administer, in the following form: "I, *A. B.*, do swear that I will, to the best of my knowledge and ability, faithfully execute and perform the duties of sergeant or private of police, or of headborough or constable, of the in the Colony of British Guiana, without fear, favour or partiality. So help me God." Police officers to take oath of office.

17. And be it further enacted, that it shall be the duty of the sergeant and the privates of each police settlement, and of the headboroughs or constables of each district, to carry into execution such orders as they shall receive from any one or more of the special justices for the prevention or repressing of crimes, and for enforcing obedience to the laws. Duties of police officer.

Cap. II.

1. And with regard to the procedure to be observed by the special justices in the exercise of their jurisdiction, Be it further enacted, that every special justice of the peace shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor. Special justice to reside within his district.

2. And be it further enacted, that every such special justice of the peace shall one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding such cases as may be brought before him, and recourse may be had to the nearest special justice at any time; and that once in every fortnight, or oftener where it shall be deemed necessary, shall be convened a court of not less than three of such special justices of the peace, which shall sit at any convenient place within the district, that shall be named by the chairman, and shall hear and determine all cases which shall be brought before it under or by virtue of this ordinance; and that at every session of such court of special justices, the chairman to be nominated and appointed by the Governor shall preside, unless prevented by sickness or absence, in either of which cases it shall and may be lawful for any other special justice of the peace, as may be agreed among themselves, to take the chair. Special justice to hold session once a week, or oftener. District courts.

3. And be it further enacted, that every special justice shall be and he is hereby empowered and authorized, in respect of apprenticed labourers convicted of offences before him, to award any one of the following punishments: 1st, Confinement, with or without hard labour on the tread-mill or otherwise, for a period not exceeding 14 successive days; 2d, extra labour at the rate of 15 hours per week in the service of his or her employer, with or without confinement at night, for a period not exceeding 14 days; 3d, fifteen stripes for every male labourer. And in respect of any employer or person acting for him, when convicted of any violation of the present law, a penalty not exceeding 5*l.* sterling, or in case of protraction of labour of any apprenticed labourer by force or fraud, a fine of 1*s.* per hour. Powers of special justice defined.

4. And be it further enacted, that at such district sessions the special justices shall apportion the district into as many sections as may be convenient; and the plantations in each such section upon which 10 or any greater number of apprenticed labourers are employed, shall be visited at least once in each fortnight, or oftener if necessary, by one or more of the special justices of the district, who shall then and there take cognizance of such cases as may be brought before him or them. District to be divided into sections.

5. And be it further enacted, that if any special justice shall on investigating a case brought before him, be of opinion that it demands a punishment or penalty beyond that which he is hereby empowered or authorized to award, he shall refer such case to the district Reference to district sessions

sessions of special justices, and shall if he see fit commit the accused, if an apprenticed labourer, for trial before such district sessions.

Journals to be kept by special justices and district sessions.

6. And be it further enacted, that every special justice and every district sessions of special justices shall keep a journal of all cases brought before him or them, in which shall be entered, 1st, the date of complaint; 2d, the name of the complainant; 3d, the name of the accused; 4th, the substance of the complaint; 5th, the names of the witnesses adduced on either side; 6th, the substance of the evidence; 7th, the decision on the case; 8th, whether the decision has been carried into effect; and to every case shall be added any general remarks which may be thought advisable; and all such journals shall be kept in one uniform manner to be prescribed for that purpose by the Governor and Court of Policy.

Quarterly reports by justices to district sessions, and by district sessions to Governor and Court of Policy.

7. And be it further enacted, that at the end of each quarter every special justice shall transmit to the district sessions of special justices a duplicate of his journal for the preceding quarter, containing a true account of all the proceedings in which such special justice has been engaged during the quarter to which it refers; and at the expiration of one week thereafter, the chairman of each of such district sessions shall transmit to the Governor and Court of Policy all such duplicate journals and affidavits of the special justices of his district, as well as a duplicate journal of the proceedings of such session courts for the same quarter, with an affidavit annexed to such last-mentioned journal, to the effect that such last-mentioned journal has been faithfully kept, and that, with the exception of unintentional errors, such last-mentioned journal contains a true account of all the proceedings of such district sessions of special justices during the quarter to which such last-mentioned journal refers.

Complaints to be reduced into writing.

8. And be it further enacted, that on receiving any complaint, it shall be the duty of each special justice to reduce it to writing and cause it to be read by or to read it over to the complainant, by whom it shall then be subscribed; and if the complaint shall appear to such justice immaterial and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

Special justice may issue warrant of arrest or summons.

9. And be it further enacted, that upon taking any complaint to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A), and the summons in the form annexed, marked (B): and the warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged will endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the special justice shall proceed in the first instance by summons.

Witnesses summoned.

10. And be it further enacted, that in cases in which it may be necessary to adduce witnesses in support of, or in answer to any such complaint, the special justice shall issue a summons or summonses in the annexed form marked (C.)

Hearing of complaint.

11. And be it further enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the special justice shall in the presence of all parties first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him or her.

Adjournment of proceedings.

12. And be it further enacted, that the special justice may from time to time adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or take bail for his appearance. Every warrant of such commitment or bail-bond shall be in the annexed forms marked (D.) and (E.)

Decision of special justice to be pronounced, reduced into writing, and subscribed.

13. And be it further enacted, that at the close of such proceedings the special justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand; and by any such decision, such justice shall as law and reason may seem to him to require, either dismiss the complaint, or sanction any compromise between the parties which he may think just, or convict the party charged, or commit him to a duly authorized place of confinement, or admit him to bail to take his trial for the imputed offence.

Reasons of dismissal to be stated.

14. And be it further enacted, that if the complaint shall be dismissed, the special justice shall in such his written decision state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

Penalty for frivolous and vexatious complaints.

15. And be it further enacted, that if any such complaint shall be so dismissed as frivolous and vexatious, the special justice may adjudge the complainant, if a labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week; or if the complainant be the employer, such justice may adjudge such employer to the payment of a penalty for the use of the labourer, not exceeding 30*s*.

Punishment of malicious complaints.

16. And be it further enacted, that if any such complaint shall be so dismissed as malicious, it shall be competent to the district sessions of special justices, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with

with hard labour for any time not exceeding one month; or if the employer of any such labourer, to a fine not exceeding 5*l.* for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, or otherwise, in respect of such his complaint.

Forms of conviction.

17. And be it further enacted, that the conviction of the party charged, or of the complainant for preferring a frivolous and vexatious or a malicious complaint, shall be severally drawn up according to the forms annexed, marked (F.) (G.) (H.); that the commitment of a party charged to take his trial for an imputed offence shall be drawn up in the form annexed, marked (I.); that the bail-bond or recognizances shall be in the form marked (K.); and that the warrant for the execution of a conviction shall be in the form annexed, marked (L.)

Police officers to serve process.

18. And be it further enacted, that all summonses, warrants, commitments and other orders so to be issued by any such special justice as aforesaid, shall be executed by the police officers of the district, such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with or instead of such officers of police, as to him may seem requisite.

Warrant to extend over the Colony.

19. And be it further enacted, that any summonses, warrant or order issued by any such special justice within his own district, may without any further authority be carried into execution in any part of the Colony, though beyond such district.

Witnesses refusing to attend may be arrested; or to answer, may be committed.

20. And be it further enacted, that if any person summoned as a witness by any special justice or district sessions of special justices, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice or district sessions in relation to the matters depending before him or them, it shall be lawful for such justice or district sessions to issue a warrant for the arrest of any such defaulter, or to commit him or her to close custody, there to remain until he or she shall submit to be so sworn and examined, and to make such answers as aforesaid. And every such warrant of arrest or commitment shall be in the forms annexed, marked (M.) and (N.)

Prisoners may be discharged by chief justice or puisne judge.

21. And be it further enacted, that it shall be lawful for the chief justice, or first or second puisne judge, but for no other judge or justice of this Colony, to discharge any person in a summary way from such imprisonment, on proof being made to the satisfaction of such chief justice or puisne judge, that such commitment was not duly authorized by and was not in conformity with the true intent and meaning of this Act, or that such person ought in due course of law to be discharged.

Governor and Court of Policy may suspend, and frame and publish rules of proceeding.

22. And be it further enacted, that if it shall be made to appear to the satisfaction of the Governor and Court of Policy that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the special justices or district sessions of special justices within the Colony, or that they impede or interfere with the prompt and effective execution of the law; the Governor and Court of Policy shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

Limitation of actions against special justices of the peace and others.

23. And for the protection of persons acting in the execution of this Act, Be it further enacted, that all actions to be commenced against any person for anything done in pursuance of this Act, shall be commenced within six calendar months after the fact committed, and not otherwise; and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action. And in any such action the defendant may plead the general issue, or as it is termed in Dutch law, a contrary conclusion, and give this Act and the special matter in evidence at any trial to be had thereupon. And no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the defendant; and if a sentence shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, the defendant shall recover treble costs, and have the like remedy for the same as any defendant hath by law in other cases; and though a sentence shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the court before which the trial shall be, shall certify its approbation of the action.

Cap. III.

And for securing protection to all apprenticed labourers in this Colony, and for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are by said Act of Parliament declared entitled to receive; and for regulating the amount and quality of all such articles:—

Rules to be followed respecting the food and maintenance of apprenticed labourers.

1. Be it further enacted, that every employer and manager of apprenticed labourers within this Colony shall and he is hereby required to provide for the food and maintenance of the

the apprenticed labourers under his or her management, according to the several rules and regulations hereinafter in that behalf prescribed; that is to say,

1st. Every such employer or manager of slaves shall within the first week of January in each and every year, deliver, or cause to be delivered, to the district sessions of special justices, or to the chairman of such sessions of the district in which such apprenticed labourers are resident, a written declaration in the form prescribed in the Schedule annexed, marked (O.), specifying whether it is the intention of such employer or manager, during the year next ensuing, to maintain his apprenticed labourers by the cultivation of ground to be to them appropriated for that purpose, or by an allowance of provisions.

2d. The declaration so made shall be recorded at the police settlement of each district in the Colony respectively.

3d. Such declaration shall be revocable at the pleasure of the employer or manager for the time being of such apprenticed labourers, at the expiration of one calendar month next after the date of a written notice of such intention to such district sessions, or to the chairman thereof, delivered by such employer or manager.

4th. Every employer or manager of apprenticed labourers within this Colony shall during the period to which such declarations shall apply, be bound to maintain his apprenticed labourers in the manner thereby proposed, unless the district sessions of special justices of any such district in which the apprenticed labourers are resident shall by a written licence authorize such employer or manager within that period to change the mode of maintaining such his apprenticed labourers.

5th. Every employer or manager who shall by such declaration as aforesaid propose to maintain his apprenticed labourer by an allowance of provisions, shall be and is hereby bound and required to supply such provisions to the amount and of the kinds specified in Schedule hereunto annexed, marked (P.)

6th. The Governor may from time to time by proclamation, to be by him for that purpose issued, authorize the substitution for the provisions aforesaid, of any other provisions equivalent to and equally nutritious with the same.

7th. Such provisions as aforesaid shall in no case be delivered on Sunday, but shall always be delivered on the corresponding working day in each successive week, unless such delivery shall be delayed by accident or other unavoidable cause.

8th. Any employer or manager of apprenticed labourers who may be unable or unwilling to procure such provisions as are hereinbefore mentioned, may, with the authority in writing of the district sessions of special justices, or chairman of such sessions in and for the district in which such apprenticed labourers are resident, substitute for the same any other kind of provisions, provided that such substituted provisions shall in the judgment of such district sessions or chairman thereof be equivalent to and equally nutritious with those hereinbefore directed and prescribed.

9th. All provisions so to be supplied to the apprenticed labourers in this Colony shall be sound and fit for consumption, and of good average merchantable quality.

10th. Every employer or manager of apprenticed labourers who shall by such declaration as aforesaid propose to maintain the apprenticed labourers under his management by the appropriation of ground to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every apprenticed labourer so to be maintained a sufficiency of land properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such apprenticed labourers; the land, both as to extent and quality, to be subject to the approbation of the district sessions of special justices.

11th. Every such employer or manager shall be and he is hereby bound and required to supply every apprenticed labourer for whom any such ground shall be so appropriated, with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such apprenticed labourer on the occupation thereof.

12th. It shall not be lawful for any person whomsoever to dispossess any apprenticed labourer of any land so assigned to and cultivated by him or her, until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

13th. The crops when growing upon any such ground, and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the apprenticed labourer for and in respect of whom such ground shall have been appropriated and set apart.

14th. Every apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart, shall be allowed one working day in every week, for 40 successive weeks in each year, such weeks to commence from the first whole week inclusive in the month of January of each year, and each of such working days shall be understood to consist of 24 hours, commencing at the hour of six in the morning and terminating at the hour of six of the next morning: provided nevertheless, that nothing herein contained shall prevent any apprenticed labourer from contracting, under the approbation of a special justice of the peace, with his or her employer to have such days at such other times as may be agreed on by the parties.

Penalties on persons violating the preceding rules respecting the food and maintenance of apprenticed labourers.

2. And be it further enacted, that if any employer or manager of apprenticed labourers within this Colony shall neglect or omit, within the time hereby for that purpose limited, to sign and deliver in manner hereinbefore mentioned such written declaration as aforesaid, he or she shall incur a penalty of 2 *l.* for such omission or neglect, in respect of the first week in which the same shall occur, with additional penalties of 4 *l.* in the second week, 6 *l.* in the

the third week, and so on in arithmetical progression, in respect of each additional week during which such neglect shall be continued. And if any employer or manager of apprenticed labourers within the said Colony shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times, as he is hereinbefore required to supply the same, every such employer or manager shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied; which last mentioned penalties shall accrue to and be for the benefit of the apprenticed labourers injured by any such omission or neglect. And if any such employer or manager of apprenticed labourers shall not set apart for every apprenticed labourer who is maintained by the cultivation of ground, such land, of such quality and quantity, and so situate, as hereinbefore is required, or shall neglect or omit to supply any such apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such apprenticed labourer of any land so assigned and cultivated until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such apprenticed labourer by every such act, omission or neglect; which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer so injured. And if any such employer or manager of apprenticed labourers shall withhold or refuse to allow to any apprenticed labourer for or in respect of whom any ground shall be so appropriated, such days as aforesaid in each year for the cultivation thereof, or shall on any such day compel or require any such apprenticed labourer to perform any work or labour, except in the cultivation of such provision grounds, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10 *s.*, which shall go and be applied to and for the benefit of the apprenticed labourer injured thereby; the number of such penalties being equal to the number of apprenticed labourers affected by such offence, multiplied by the number of days on which such offences may have been repeated.

Rules respecting the clothing of apprenticed labourers.

3. And be it further enacted and declared, that it is and shall be the duty of every employer or manager of apprenticed labourers within this Colony, once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required, to deliver to every such apprenticed labourer for his or her use, either in the month of January or in the month of June in each and every year, the articles of clothing enumerated and specified in the Schedule, marked (Q.), hereunto annexed.

District sessions of special justices may authorize commutation of the prescribed article.

Provided always, that with the authority in writing of the district sessions of special justices, or chairman of such sessions, of the district in which any apprenticed labourers are resident, the employer or manager of any such apprenticed labourers may and he is hereby authorized to substitute for the articles enumerated and specified in last mentioned Schedule, any other articles of clothing or household furniture which shall in the judgment of such district sessions, or of the chairman thereof, be equivalent to the articles so enumerated and specified; and all the articles so to be supplied as last aforesaid shall be of good average merchantable quality.

Penalties on the neglect of the law respecting clothing.

4. And be it further enacted, that if any employer or manager of apprenticed labourers in this Colony shall wilfully neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of apprenticed labourers under his or her management such articles of clothing and household furniture as are hereinbefore mentioned, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

Bedding to be provided for apprenticed labourers.

5. And be it further enacted, that every employer or manager of apprenticed labourers in this Colony shall be and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot at the least above the ground; and every employer or manager who shall neglect or omit so to supply any such apprenticed labourer with such bedstead or such means of sleeping above the ground as aforesaid, shall for every such neglect or omission incur and become liable to a fine of 5 *s.* in respect of each and every apprenticed labourer; which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

Medical attendant to be provided for apprenticed labourers, and to keep a journal, to be produced to special justice or to district sessions.

6. And be it further enacted, that every person in this Colony having under his or her management 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers once at least in every week; and it shall be the duty of such medical practitioner, and he is hereby authorized and required to keep a journal, and to enter the name of each apprenticed labourer then labouring under sickness or disease, distinguishing such apprenticed labourers as are thereby disqualified for labour and such as are disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the patient; and such journal shall be placed under the care of the employer or manager of such apprenticed labourers, which employer or manager shall be and he is hereby required to supply such apprenticed labourers with such medicines or nourishment, and to allow such apprenticed labourers such relaxations of labour, as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of apprenticed

apprenticed labourers shall be and is hereby suspended during the period they shall receive such nourishment; and every such employer or manager shall be and is hereby required to exhibit the journal so kept to any special justice of peace, whenever such justice shall visit the estate or settlement and shall require such journal to be so exhibited; and shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any district sessions, or by the chairman of any district sessions, to produce at such district sessions such journal; and in all cases where any apprenticed labourer shall be attacked by any acute or dangerous disease, the employer or manager of such apprenticed labourer shall and he is hereby required to employ at his own costs and charges a medical practitioner for the medical treatment and care of such apprenticed labourer, and shall supply such medicines and nourishment, and allow such relaxations of labour to such apprenticed labourer, as may by such medical practitioner be recommended and prescribed.

Apprenticed labourers, when ill, may be restricted to hospital.

7. And be it further enacted, that every apprenticed labourer who, on account of illness, sores or any other disease, the medical practitioner shall deem it necessary to restrict to the hospital or any apartment thereof, for the purpose of cure, shall be bound, and if necessary may be compelled, to submit to such restriction and subject to such hospital arrangements or regulations as may be sanctioned by the district sessions of special justices of the district in which every such apprenticed labourer shall be resident.

Penalties for infringement of rules respecting medical treatment.

8. And be it further enacted, that if any such employer or manager of apprenticed labourers as aforesaid in this Colony, or if any such medical practitioner as aforesaid, shall refuse, neglect or omit to do or perform any matter or thing which such employer, manager or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 2 *l.* or more than 20 *l.*

Cap. IV.

And for ensuring the punctual discharge of the services due by apprenticed labourers to their respective employers; and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer; and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter, for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination on the part of any of such apprenticed labourers towards their employers; and for the prevention and punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer; and for the suppression and punishment of any riot or combined resistance of the laws, on the part of any such apprenticed labourers:—

Prædial apprenticed labourers to work 7 ½ hours per day. Exception as to domestics and others.

1. Be it further enacted, by the authority aforesaid, that every prædial apprenticed labourer, whether attached or unattached, shall be bound and obliged to work and labour for 7 ½ hours in each and every day of the year (Sundays and holidays hitherto allowed to the labouring population excepted), in the service or for the benefit of his or her employer; and that every non-prædial apprenticed labourer shall be bound and obliged to work and labour 10 hours in each and every day of the year (Sundays and holidays hitherto allowed to the labouring population excepted), in the service and for the benefit of his or her employer: provided nevertheless, that nothing herein contained shall extend or be construed to extend to apprenticed labourers employed in domestic services, or as boatmen or navigators of any sloop, schooner or other vessel; in the protection of property; or in tending of cattle.

A day's labour defined.

2. And be it further enacted, that a day's labour of a prædial apprenticed labourer, whether attached or unattached, shall be and is hereby declared to be such a portion of specified work as can be performed by each prædial apprenticed labourer, by assiduous and steady industry, during the space of seven hours and a half; and that a day's labour of a non-prædial apprenticed labourer shall be and the same is hereby declared to be such a portion of specified work as can be performed by each non-prædial apprenticed labourer, by assiduous and steady industry, during the space of nine hours.

Penalty for an hour's absence from employer's service.

3. And be it further enacted, that for every hour in which any apprenticed labourer shall absent himself or herself from his or her employer's service without reasonable cause, he or she shall be compelled to serve two other hours, provided that such extra hours shall not exceed 15 in the whole in any one week.

Deserter, vagabond and runaway defined.

4. And be it further enacted, that any apprenticed labourer absenting himself or herself without reasonable cause, for more than seven and a half hours in any one week, shall be adjudged a deserter; that any apprenticed labourer absenting himself or herself without reasonable cause for two days during one week, shall be adjudged a vagabond; and that any apprenticed labourer absenting himself or herself without reasonable cause for six successive days, shall be adjudged a runaway.

Reasonableness of

5. And be it further enacted, that the reasonableness of the cause of absence of an apprenticed

apprenticed labourer shall in each and every case be determined by one or more of the special justices of the peace, or the district sessions of special justices, according to the jurisdiction possessed by one or more of said justices or said district sessions. cause of absence, how determined.

6. And be it further enacted, that every apprenticed labourer adjudged a deserter shall be confined to hard labour for any time not exceeding one week; that every apprenticed labourer adjudged a vagabond shall be confined to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding 15; and that every apprenticed labourer adjudged a runaway, shall be confined to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30. Punishment of a deserter, vagabond and runaway.

7. And be it further enacted, that every apprenticed labourer convicted of performing his or her work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week; for the second offence, to confinement with hard labour for any time not exceeding one week; and for the third or any subsequent offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding 20 stripes. Punishment for indolence, carelessness or negligence.

8. And be it further enacted, that every apprenticed labourer who, by the careless use of fire, shall endanger the property of his or her employer or of any other person, or who shall wantonly injure the property of his or her employer entrusted to his or her care, or who shall ill use the cattle or other live stock of his or her employer, or who shall by gross negligence expose his or her employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the special justice or district sessions of special justices, either to extra labour in his or her employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement with hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two or more of such punishments: provided, that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or committed, although no such labourer shall be liable to be so sued or prosecuted both under this ordinance and under such general law as aforesaid. Penalty for endangering or injuring property.

9. And be it further enacted, that whenever any apprenticed labourer shall by any district sessions of special justices be adjudged to perform extra labour in his or her employer's service for any time exceeding 15 hours, then it shall and may be lawful for such district sessions to adjudge that such extra labour shall be performed in successive weeks not exceeding 15 hours in any one week, until the number of hours of extra labour which such apprenticed labourer may have been adjudged to perform shall have been completed, and also to adjudge such extra labour, if necessary, to be performed after the expiration of his or her apprenticeship; and if such labour shall be adjudged to be performed after the expiration of the apprenticeship, then it shall be lawful to adjudge such 15 hours per week to be performed in addition to the number of seven and a half hours per day, to be reckoned a part of the number of hours adjudged to be performed, until the whole shall in like manner have been completed. Extra labour, how and when to be performed.

10. And be it further enacted, that every apprenticed labourer who shall contumaciously disobey the lawful commands of his or her employer shall be liable to any one or more of the punishments last aforesaid. Punishment for contumacious disobedience.

11. And be it further enacted, that any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employer, shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement with hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes; and that any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, shall on conviction be adjudged to the punishments last aforesaid, or any one of them. Unlawful conspiracy, and punishment thereof.

12. And be it further enacted, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself or herself in an insolent and insubordinate manner towards his or her employer or any person in the immediate superintendence of his or her labour, shall for every such offence be liable on conviction to imprisonment with hard labour, for any time not exceeding one week, or to whipping not exceeding 15 stripes. Drunkenness, fighting, &c., how punished.

13. And be it further enacted, that no female shall be subject to be punished by whipping for any offence by her committed, but that in all cases aforesaid in which that punishment is authorized it shall be understood as applying to the case of males only; and that all the offences in respect of which such punishment by whipping may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks; and that the stocks to be employed for punishment of females shall all be according to one general model, to be sanctioned by the Governor; and that no female for any offence by her committed shall be so confined in the stocks for more than ten hours in the whole for any one day of 24 hours: provided nevertheless, that it shall and may be lawful to repeat such confinement each and every day for six days consecutively and no more, care being taken that 14 clear hours at the least shall expire between the periods of such distinct confinements in the stocks; and that moreover it shall and may be lawful to detain in custody every female during the intervals of her punishment in the stocks as aforesaid. Females exempted from punishment by whipping.

Mode and place of confinement.

14. And be it further enacted, that when any apprenticed labourer shall be convicted of any offence punishable under this Act, for which confinement may be awarded, it shall be lawful to adjudge the offender to be confined, or to be confined and kept to hard labour, in the common gaol or house of correction, or other place of confinement previously approved by a district sessions of special justices; and also that the offender be adjudged to be kept in solitary confinement for the whole or any portion or portions of such confinement, or of such confinement with hard labour, as to the special justice or district sessions of special justices shall seem meet; and that in all cases in which it can or may be done, it shall be lawful to adjudge the labour to be in the service or for the benefit of the employer of the offending apprenticed labourer.

All offences under this Act to be inquired of by special justices only.

15. And be it further enacted, that all the offences aforesaid shall be inquired of by the justices of the peace having special commissions, and not by any other justices of the peace; and that every such special justice of the peace, or district sessions composed of such special justices of the peace, may, if it shall seem meet, refer any case for trial to either of the supreme courts of criminal justice of the Colony, before which such case may or can be legally referred.

Cap. V.

And to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not required by the said Act of Parliament to labour in the service of their respective employers; and for securing exactness in the computation of the time during which the said prædial apprenticed labourers are thereby required to labour in the service of such their respective employers; and for preventing the imposition of task-work on any such apprenticed labourer, without his or her free consent to undertake the same; and for requiring and providing for the acquiescence, in certain cases, of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake; and for regulating any voluntary contracts into which any apprenticed labourers may enter with their respective employers or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire; and for the prevention and punishment of any cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services:—

Penalty for protracting weekly services.

1. Be it further enacted by the authority aforesaid, that if the employer of any prædial apprenticed labourer shall by force or fraud protract the weekly services of such labourer beyond the period allowed by law for that purpose, he shall forfeit for the benefit of such labourer the sum of 1 *s.*, in respect of every hour which such service shall by such means be protracted.

Commencement and close of each day's labour to be intimated to labourers.

2. And be it further enacted, that it shall be the duty of every such employer to intimate to the labourers in his employment the commencement and close of the legal hours of labour, for which purpose a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved by a special justice of the district; which signal shall always be of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such person.

Task-work prohibited, except with consent of apprenticed labourers or acquiescence of majority.

3. And be it further enacted, that no apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save in such cases in which the majority of any body of prædial apprenticed labourers attached to any plantation or estate shall be willing and desirous collectively to undertake any task-work; then and in every such case the minority of such body of apprenticed labourers so attached, shall be bound and obliged by the acquiescence of such majority. And in all cases where the employer and such majority of the body of apprenticed labourers cannot agree between themselves respecting the quantity of specified work which the whole body or any part thereof shall perform, it shall be lawful to either party to appeal to the district sessions of special justices to determine what shall be a fair portion of specified work, with reference to a day's work of 7 ½ hours; and the decision of such district sessions being registered, shall be binding for the period of six months on both parties.

Contract for specific work to be in writing, and entered in a book.

4. And be it further enacted, that every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall by such employer be reduced into writing, and entered into a book to be kept for that purpose on the plantation; which book it shall be the duty of the chairman or senior special justice of the district to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

Such contract not to continue in force longer than 14 days, unless sanctioned by special justice.

5. And be it further enacted, that no contract between the employer and the prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the

the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of a special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall, by such special justice be attested under his hand in the book so to be kept as aforesaid.

Special justice to ascertain that contract is understood by apprenticed labourer.

6. And be it further enacted, that it shall be the duty of the special justice of the peace, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

Terms of contract defined.

7. And be it further enacted, that in every such contract for task-work or for extra service, extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

Contract not to be for more than a year.

8. And be it further enacted, that no contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

Execution may be awarded against employer for non-payment of consideration.

9. And be it further enacted, that upon proof being made to the satisfaction of the district sessions of special justices of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra service, it shall be competent to such district sessions to award execution against such employer for the amount of such consideration, and if the same shall not be paid within one week next after such award, to levy on the property of the employer; which award and levy shall be respectively in the forms annexed, marked (R.) and (S.); and in default of sufficient property being found, then it shall and may be lawful for such district sessions to issue a warrant of apprehension and commitment as in other cases of debt; and such warrant of apprehension and commitment shall be in the form marked (T.)

Execution and levy, how to be executed.

10. And be it further enacted, that such execution and levy as aforesaid shall be executed by the sergeant of the police of the district, who shall thereunder seize and sell so much of the property of the employer as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer; and every apprehension, when necessary as aforesaid, shall be carried into effect by such sergeant of police.

Penalties upon apprenticed labourers for breach of contract.

11. And be it further enacted, that any apprenticed labourer violating the terms of such contract as aforesaid, for task-work or for extra services, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer.

Married women and children may enter into such contracts.

12. And be it further enacted, that every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra services.

Penalty for beating or ill treating apprenticed labourer.

13. And be it further enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer shall incur a penalty, to be imposed by the district sessions of special justices, not exceeding 20 *l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

Penalty, whole or part, may be awarded to apprenticed labourers.

14. And be it further enacted, that in any such case as last aforesaid, it shall be competent to such district sessions to award the whole or any part of such penalty to the apprenticed labourer injured, as and for damages for such assault; and it shall also be competent to such district sessions, if it shall seem meet, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before either of the supreme courts of the Colony having jurisdiction in the premises. If any such employer shall be convicted before any such supreme court of any cruelty towards his apprenticed labourer, or if any such employer shall be twice convicted, if the case be of an aggravated nature, of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship by sentence of such supreme court, in addition to any other punishment awarded against such employer.

Employer twice convicted of cruelty, apprenticed labourer to be discharged.

Cap. VI.

And for the preservation of peace throughout the Colony, and the maintenance of order and good discipline amongst the said apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship, from the Colony:—

Riotous assemblage of apprenticed labourers to be dispersed.

1. Be it further enacted by the authority aforesaid, that if any three or more apprenticed labourers shall unite together in any riotous assemblage, any special justice of the peace, or officer of police, headborough or constable, who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly; and that all and every such apprenticed labourers, who at the expiration of 10 minutes from the exhibition or signal shall continue present at any

any such riotous assemblage, shall be taken into custody, and shall on conviction be liable to imprisonment for six weeks, with or without hard labour, and whipping not exceeding 39 stripes, or to imprisonment with hard labour for any time not exceeding 12 months.

No apprenticed labourer to reside beyond his plantation without authority.

2. And be it further enacted, that no apprenticed labourer shall reside beyond the boundary of the plantation or establishment in which he or she is or may be employed, unless either with the consent of his or her employer, or by the authority in writing of a special justice of the district in which such plantation or establishment shall be situated; and any apprenticed labourer residing off the plantation or establishment without such consent or authority as aforesaid, shall for the first offence be adjudged to one night's solitary confinement; and for a repetition of the offence shall be adjudged a deserter, and punished accordingly.

Apprenticed labourer found beyond district may be arrested.

3. And be it further enacted, that every apprenticed labourer found beyond the limits of the district to which he or she belongs, or in which he or she may be employed, except in his or her way to or from some place of public worship on Sundays, and not having with him or her a written pass for that purpose from his or her employer, or from a special justice of such district, shall be liable to be apprehended and detained; and shall, on proof and conviction that he or she shall have left his or her district without a pass, be adjudged a vagabond, and punished accordingly: provided, however, that it shall be competent to every apprenticed labourer, of his or her own free will, and without a pass, to attend during his or own time any market of the district in which he or she may reside.

xceptions, and punishment.

Absence of seven days without reasonable cause.

4. And be it further enacted, that any apprenticed labourer who shall for seven days or upwards absent himself or herself from his or her employer's service without reasonable cause, to be determined by the district sessions of special justices of the district to which he or she may belong, shall be adjudged a runaway, and shall be sentenced to imprisonment with or without hard labour not exceeding three months, or if a male, to whipping not exceeding 39 stripes.

Apprenticed labourers establishing themselves as a distinct community, to be dislodged.

5. And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have without lawful authority established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall report the same to the district sessions of special justices; and such district sessions, upon sufficient proof being adduced, shall cause any such community to be dislodged, and if necessary shall also cause their habitations to be taken down and destroyed.

Punishment for being a member of an illegal community.

6. And be it further enacted, that if any labourer shall be convicted of having been a member of any such community, he or she shall be liable to imprisonment with hard labour for any term not exceeding six months; and if a male, to whipping by any number of stripes not exceeding 39.

Assistance of the militia may be called in.

7. And be it further enacted, that all officers and privates of the colonial militia, when called upon, shall be aiding and carrying into effect any directions which may be issued by any district sessions of special justices as aforesaid, for dislodging any such community as aforesaid.

Thirteenth section of Act of Parliament adopted.

8. And whereas, by the 13th section of the said Act of Parliament, it was enacted, that if any child who on the 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer might give birth on or after the 1st day of August 1834, should be brought before any justice of the peace holding any such special commission as thereinafter mentioned; and if it should be made to appear to the satisfaction of such justice that any such child was unprovided with an adequate maintenance, and that such child had not completed his or her age of 12 years, it should be lawful for such justice, and he was thereby required, on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it should be made to appear to any such justice that such person or persons aforesaid was or were unable or unfit to enter into any such indenture, and properly to perform the conditions thereof, then it should be lawful for such justice, and he was thereby required, by such indenture, to bind any such child to any other person or persons to be by him for that purpose approved, and who might be willing and able properly to perform such conditions; and it should by every such indenture of apprenticeship be declared whether such child should thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child should by such indenture be limited and made to continue in force until such child should have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid, by the order of any such justice of the peace as aforesaid, should during his or her apprenticeship be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other such apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship should contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child: Be it therefore enacted and declared by this ordinance, that it is unnecessary to make further or other provisions,

rules

rules or regulations touching or concerning the matters and things set forth and contained in the said 13th section of the said Act of Parliament herein recited.

Apprenticed labourers unlawfully taking possession of land, to be dislodged.

9. And be it further enacted, that if any labourer shall without lawful authority enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any district sessions of special justices to dispossess such labourer of such land, and from any buildings thereon erected, and to cause the same with all crops growing thereupon to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then such crops, cattle and other goods seized shall be sold by order of such district sessions, and the proceeds of such sales shall be paid over to the colonial receiver-general or assistant colonial receiver-general of this Colony.

Punishment for unlawfully taking possession of land.

10. And be it further enacted, that any district sessions of special justices may further adjudge any apprenticed labourer unlawfully taking possession of such land to imprisonment with hard labour for any time not exceeding three months, if it shall be made to appear by sufficient proof that such possession was taken fraudulently and without knowledge that the party had no lawful claim to such possession.

Apprenticed labourer not to quit Colony without passport.

11. And be it further enacted, that no apprenticed labourer shall quit the Colony without a passport from the Governor, which passport shall not be granted except with the written consent of the employer.

Penalty for attempting to quit Colony.

12. And be it further enacted, that any labourer quitting the Colony without such passport shall be liable to imprisonment with hard labour for any term not exceeding six months.

Colony vessels, boats and crafts to be registered.

13. And be it further enacted, that all vessels, boats and craft not required to be registered under the Navigation Act, owned at, or employed in intercourse with, either of the ports of entry and clearance in this Colony, shall be registered at the offices of the respective fiscals in George Town or New Amsterdam, according to the district of the Colony to which any such vessel, boat or craft respectively belongs; and every such registration shall contain the description of the vessel, boat or craft, the name of the owner, the person in command thereof, and the place at which the same is usually moored or fastened: a copy of which registration shall be furnished gratis to the owner at the time of registry, and must accompany the vessel, boat or craft, and always be produced by the person in charge of such vessel, boat or craft, whenever he should be required to exhibit the same by any justice of the peace or constable. And all vessels, boats and craft required to be registered by this ordinance, and not so registered and accompanied by a certificate of registration, shall be liable to seizure and confiscation, together with all and every article on board of any such vessel, boat and craft: and further, every vessel, boat or craft which shall be registered in conformity with this ordinance, shall have the number of the registry painted on the bow, stern, or some other conspicuous place, otherwise such vessel, boat or craft shall be liable to seizure and confiscation.

Apprenticed labourer engaging in any occupation on sea without consent of owner, to be punished.

14. And be it further enacted, that any apprenticed labourer engaging in any occupation on the sea or on any navigable stream, as a fisherman or mariner, without the consent of his employer, shall in every such case be liable to imprisonment with hard labour not exceeding three months, or to such minor punishment as may be commensurate with the offence; and that the person in charge of any vessel, boat or craft where any such fisherman or mariner is employed, without such consent as aforesaid, shall, if an apprenticed labourer, be liable to imprisonment with hard labour, not exceeding three months, nor less than one month: Provided, however, that if it shall appear on investigation that the owner or agent of such vessel, boat or craft, is the offending party, such person in charge of any such vessel, boat or craft, shall not be liable to such punishment, unless he be the owner or agent himself; but such owner or agent shall incur a fine of not less than 10*l.* nor more than 20*l.* sterling, and shall be subject to imprisonment not exceeding three months, unless such fine be paid. And further, any person in charge of any vessel, boat or craft, who shall receive on board of any such vessel, boat or craft any apprenticed labourer, for the purpose of removing such apprenticed labourer from his district or from his employer's service, without the consent of such employer, or written permission from some person in authority over such apprenticed labourer, shall be subject to imprisonment with hard labour; or if such person in charge of such vessel, boat or craft be not an apprenticed labourer, he shall incur a penalty of not less than 10*l.* nor more than 20*l.*, and shall moreover be subject to imprisonment not exceeding three months, unless such fine be paid: Provided however, that if it shall appear upon investigation that the owner or agent of such vessel, boat or craft, is the offending party, such person in charge of such vessel, boat or craft, shall not be liable to such punishment or fine as aforesaid, unless such person be the owner or agent himself; but such owner or agent shall incur a penalty of not less than 10*l.* nor more than 20*l.* sterling, and shall be liable to imprisonment not exceeding three months, unless such fine be paid: provided also, that it shall be lawful for the person in charge of any registered vessel, boat or craft to receive on board any apprenticed labourer, for the purpose of conveying such apprenticed labourer from one side of either of the rivers of Demerara or Berbice to the other side of such rivers respectively, on any Sunday of the year.

Penalty for removing or assisting to remove apprenticed labourer from the Colony.

15. And be it further enacted, that every person removing, assisting or attempting to remove, any apprenticed labourer from the Colony in any boat or vessel, without a passport from

from the Governor, shall be liable to a penalty of 100 *l.* or to imprisonment for any time not exceeding one month; and that if such apprenticed labourer shall be actually removed from the Colony by any such assistance, every person convicted thereof shall forfeit and pay to the employer the full value of the services of such apprenticed labourer, over and above the penalty of 100*l.*, or imprisonment for any time not exceeding one month as aforesaid.

Cap. VII.

And with respect to the determining the manner and form in which, and the solemnities with which, the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected; and for prescribing the form and manner in which, and the solemnities with which, the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services, shall be effected; and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of such appraisement shall in each case be paid and applied; and in what manner and form, and by whom, the discharge from any such apprenticeship shall thereupon be given, executed and recorded:—

All persons may discharge apprenticed labourers from service, with the concurrence of all interested therein.

1. Be it further enacted by the authority aforesaid, that subject to the regulations hereinafter made, any person being the employer of any apprenticed labourer in this Colony may, by his or her last will, or by deed under his or her hand and seal, at his or her pleasure, discharge and set free any such apprenticed labourer, so far as relates to the interest of every such testator or grantor in and to the services of such apprenticed labourer; and that every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the perpetual discharge and enfranchisement of any such apprenticed labourer: provided nevertheless, that no person having a partial or temporary interest in the services of any apprenticed labourer may, to the extent of such interest, effect his or her discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such services shall consent or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

If apprenticed labourer is discharged gratuitously, bond must be given for his maintenance, if he be above the age of 50 years.

2. And in order to prevent the fraudulent discharge from apprenticeship of apprenticed labourers incompetent from age or disease to earn their own living, it is further ordered, that in case any deed or instrument of such discharge shall be executed gratuitously, and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the execution of any such deed or instrument, appear before a special justice of the peace for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice of the peace that such apprenticed labourer is above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty in the penal sum of 100*l.*, with a condition thereunder written for the defeasance thereof, if such apprenticed labourer shall be properly fed, clothed and maintained, until the expiration of the period of his or her original apprenticeship; and no such gratuitous discharge shall be valid and effectual in the law until such bond as aforesaid shall be duly executed, registered and deposited, to the satisfaction of the aforesaid justice of the peace: provided nevertheless, that the chief justice or either of the puisne judges of this Colony shall be and he is hereby authorized, by an order under his hand, to dispense with such bond as aforesaid, in any case in which it shall be made to appear to him that neither the welfare of the apprenticed labourer so to be discharged from apprenticeship, nor the interest of the Colony at large, requires that such bond should be so entered into.

Bond not necessary in case of discharge by will. Testator's estate liable.

3. Provided nevertheless, and be it further enacted, that no such bond as aforesaid shall be required in the case of any discharge from apprenticeship by will; but if at the time of the death of the testator the apprenticed labourer so discharged shall be above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to and chargeable with the maintenance of such apprenticed labourer until the expiration of the period of his or her apprenticeship, as fully as if the said testator had in his or her lifetime executed such bond as aforesaid.

With the concurrence of a special justice, apprenticed labourers may contract with their employers for the purchase of their discharge.

4. And to prevent ignorant apprenticed labourers effecting the purchase of their discharge from apprenticeship from persons unable to make any valid title to the same, Be it further enacted, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in this Colony, to contract with such apprenticed labourer through the agency of any special justice of the peace of this Colony, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge from apprenticeship of the said apprenticed labourer, at a price to be agreed upon between the said employer and special justice of the peace respectively; and in case of any such contract, it shall be the duty of the said special justice of the peace to obtain from the registry of apprenticed labourers a certificate of the name or names of the person or persons by whom such apprenticed labourer was last registered, as entitled to his, her or their services; and it shall also be the duty of the said special justice of the peace to give notice by advertisement in the public Gazette of this Colony, of such intended discharge from apprenticeship, 14 days at the least before

before the same is effected; and if, from such certificate as aforesaid, it shall appear that the person or persons proposing to contract for the discharge from apprenticeship of any such apprenticed labourer is or are not the registered employer or employers of such apprenticed labourer, or that any future or reversionary interest in the services of any such apprenticed labourer is vested in any person or persons who is or are not a party or parties to or consenting to such proposed discharge from apprenticeship, the said special justice of the peace shall, on behalf of such apprenticed labourer, refuse to proceed with such contract. And it shall also be the duty of the said special justice of the peace, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge from apprenticeship has good right and title; and it shall also be the duty of the said special justice of the peace, without fee or reward, to prepare in every such case the proper deed or instrument of discharge from apprenticeship, which shall in all cases be executed in the presence of and attested by the said special justice of the peace, or some proper person to be especially appointed by him to be such witness thereto; and every such deed or instrument being so executed, shall by such special justice of the peace be enrolled in the supreme court of civil justice in and for the district of this Colony to which he or she belongs, within one calendar next after the date and execution thereof; and in case any such deed or instrument shall not be so enrolled by the said special justice of the peace within the said period of one calendar month, the said special justice of the peace shall incur and be liable to the payment of a fine not less than 2 *l.* nor more than 20 *l.*

Apprenticed labourers may effect the purchase of their discharge by a compulsory process. If the employer be unwilling or unable to effect the discharge, or labour under any incapacity, or if any excessive sum be demanded, the chief-justice or puisne judge is to cite all persons having an interest in the services of the apprenticed labourer, to attend.

5. And to provide for the discharge from apprenticeship of apprenticed labourers desiring to obtain the same by purchase, in cases where the employer of such apprenticed labourers may be unable or unwilling to contract for such discharge from apprenticeship; Be it further enacted, that if the employer of any apprenticed labourer in this Colony, or any person having any interest in the services of any such apprenticed labourer, shall be unwilling to effect his or her discharge from apprenticeship, or shall be unable to execute a valid and effectual discharge from apprenticeship of such apprenticed labourer; or if the employer or any other person having a charge upon or interest in the services of any such apprenticed labourer shall be a minor, or a married woman, or idiot, or lunatic; or if the employer of any such apprenticed labourer shall be absent from the district of this Colony to which the apprenticed labourer belongs, or shall not be known; or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge from apprenticeship, a greater sum of money than may appear to the said special justice of the peace to be the fair and just value thereof; then, and in each and every case aforesaid, the chief justice, or either of the two puisne judges of this Colony, on application to one or either of them for that purpose, made by a special justice of the peace, shall issue a summons under his hand and seal, requiring the employer or the manager of such apprenticed labourer to appear before him by themselves or their agents, at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice of the peace in the public Gazette of the Colony of the time and place appointed for the purpose aforesaid; and in such notice all persons having or claiming to have any title or interest to or in the services of the apprenticed labourers proposed to be discharged from apprenticeship, either in their own right, or as the agents, guardians, attorneys, trustees or representatives of any other person, shall be required to attend and prefer such claims.

On proof made to the judge of due service and publication of service, he is to require special justice and owner each to name an appraiser, and is himself to name an umpire. The judge, when necessary, is to nominate the appraiser also.

6. And be it further enacted, that at the time appointed for any such meeting as aforesaid, the chief justice, or either of the two puisne judges of the Colony, in the presence of the special justice of the peace acting for and on the behalf of the apprenticed labourer, and also in the presence of the employer or manager of the apprenticed labourer proposed to be discharged from apprenticeship, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer or manager, shall proceed to hear in a summary way what may be alleged by the said special justice of the peace, and by the employer or manager, or other persons claiming any interest in the services of the said apprenticed labourer proposed to be discharged from apprenticeship, and attending in pursuance of any such notice: and in case the said parties, or any of them, shall refuse to effect such discharge from apprenticeship at a price approved by the said special justice of the peace; or in case it shall be made to appear to the said chief justice or puisne judge that a valid and effectual discharge from apprenticeship of such apprenticed labourer cannot legally be effected by private contract; or that the employer of such apprenticed labourer, or any person having a charge upon or interest in the services of such apprenticed labourer, is a minor or a married woman, or idiot, or lunatic; or that the real employer of such apprenticed labourer is absent from the Colony, or is unknown, or cannot be found; or that any action is depending in any court of justice in the Colony, wherein the right or title to his or her services is in controversy, then and in every such case the said chief justice or puisne judge shall require the special justice of the peace, and the employer or manager of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services, and the said chief judge or puisne judge shall himself nominate an umpire between such appraisers: but if such employer or manager, being duly summoned as aforesaid, shall fail to attend or attending, shall refuse or omit to nominate an appraiser, then the said chief justice or puisne judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer or manager.

The appraisers to make a valuation in seven

7. And be it further ordered, that the appraisers so to be nominated as aforesaid shall be duly sworn, by and before the said chief justice or puisne judge, to make a fair and impar-

days; failing which, the umpire is to make the valuation.

tial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged from apprenticeship; and within seven days next after such appointment, such appraisers shall make a joint valuation of the services of the said apprenticed labourer for the unexpired period of his or her apprenticeship, and shall certify such their valuation to the said chief justice or puisne judge under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said chief justice or puisne judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said chief justice or puisne judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default, by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the supreme court of civil justice in and for the Colony.

On proof to the judge of fraud or injustice in making the valuation, he may set it aside; and so on, until an unobjectionable valuation is made.

8. Provided nevertheless, that if it shall be made to appear to the said chief justice or puisne judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact; then, but not otherwise, it shall be lawful for the said chief justice or puisne judge to set aside the said valuation and enrolments, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid; for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said chief justice or puisne judge in manner aforesaid, shall be to all intents and purposes binding and conclusive: provided, that such second, or any subsequent valuation, may in like manner be set aside by any such judge, on the grounds aforesaid, until a valuation is made not open to any such objection.

If the amount is not paid in three months, the proceedings cancelled.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned within three calendar months next after the enrolment thereof, such enrolment shall be cancelled; and it shall not be lawful for any such apprenticed labourer, or for the special justice of the peace on his or her behalf, again to institute such proceedings as before mentioned for his or her discharge from apprenticeship, until the expiration of 12 calendar months, to be computed from the date of such former valuation.

If it be proved, that within five years the slave has been convicted of any robbery, the proceedings are to be stayed till the end of that term.

10. Provided also, that if at any time before the enrolment of any such valuation, it shall be alleged before the said judge by the employer or manager of the apprenticed labourer proposed to be discharged from apprenticeship, that such apprenticed labourer hath within five years next preceding the date of the application made to such chief justice or puisne judge, on his or her behalf, for such discharge from apprenticeship as aforesaid, been convicted in due course of law of any robbery or theft, the said judge shall inquire into the truth of such allegation; and if it shall be made to appear to him by good and sufficient evidence, that such apprenticed labourer hath within the said term of five years been so convicted of any robbery or theft, the said judge shall and he is hereby required to make an order for staying such enrolment as aforesaid; and thereupon the same and all other proceedings for the discharge from apprenticeship of any such apprenticed labourer shall be stayed until the expiration of the full term of five years from the time of conviction of any such apprenticed labourer for any such theft or robbery.

The special justice may pay to the colonial-receiver the price of the services of the apprenticed labourer in three months from the valuation, and enrol the receipt in the supreme court; after which the apprenticed labourer to be discharged.

11. And be it further enacted, that upon or within three calendar months next after the enrolment in the supreme court of justice of the Colony of any such valuation as aforesaid, it shall be lawful for the special justice of the peace, out of any monies to be supplied to him for that purpose by the apprenticed labourer proposed to be discharged from apprenticeship, to pay to the colonial-receiver or assistant colonial-receiver of the respective districts of this Colony, the appraised value of such apprenticed labourer, taking a receipt in writing from such colonial-receiver or assistant colonial-receiver for every such payment; and the chief justice or puisne judge of such Colony shall, upon application to him for that purpose made by the said special justice of the peace, make an order for the enrolment in either of the said supreme courts of civil justice, of such receipt; and the said chief justice or puisne judge shall by such order further proceed to declare and adjudge that the apprenticed labourer by or on behalf of whom such money hath been paid, is discharged from apprenticeship; and such apprenticed labourer shall thereupon be, and be deemed, taken and reputed to be *sui juris* to all intents and purposes.

How the purchase-money is to be invested, when necessary.

12. And be it further enacted, that the money to arise from the discharge from apprenticeship of any apprenticed labourer, by virtue of the proceedings before mentioned, shall remain in the hands of the colonial-receiver or the assistant colonial-receiver of the respective districts of this Colony, and shall bear interest at the rate of five pounds per cent. per annum, and the colonial revenue shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall, in the discretion of the Governor and the Court of Policy, be invested in the purchase, in the names of trustees to be appointed for that purpose, of any public funds or securities of Great Britain and Ireland; and the money in the hands of the said colonial-receiver or assistant colonial-receiver, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were the master or masters of such apprenticed labourer so discharged from apprenticeship; and the said colonial-receiver or assistant

colonial-receiver shall hold the said money and interest accruing thereupon on the said public funds and dividends, at the disposal of the party or parties thereto entitled by the provisions of the hereinbefore mentioned Act of Parliament.

CAP. VIII.

AND whereas it is necessary to determine the terms and the manner in which the consent of any special justice of the peace to every transfer of labourers from one plantation to another, according to the 9th section of the said Act of Parliament, shall be given, attested and recorded :—

Form of transfer of apprenticed labourers from one plantation to another.

Be it therefore enacted by the authority aforesaid, that in every case in which the consent of a justice of the peace shall be necessary for the transfer of any labourer or labourers from one plantation to another, every such transfer shall be given and attested in the form annexed; and shall, one month after the date thereof, be recorded in a book to be kept for that purpose in each of the respective registrars' offices of Demerara and Essequibo and Berbice, to which such labourer or labourers may belong.

CAP. IX.

AND in respect to the manner and form in which the indentures of apprenticeship set forth and mentioned in the 13th section of the said Act of Parliament, shall be made on the behalf of such children as are in the said 13th section mentioned; and in respect to the registering and preservation of all such indentures :—

Form of indentures of apprenticeship.

Be it further enacted by the authority aforesaid, that all and every indenture of apprenticeship, made and entered into in pursuance of the 13th section of the said Act of Parliament, shall be in the form annexed; and shall be kept and recorded in either of the registrars' offices of Demerara and Essequibo, or of Berbice, to which any such apprenticed child may belong.

CAP. X.

AND whereas, by the 10th section of the said Act of Parliament, it was further enacted and declared, that the right or interest of any employer or employers, to and in the service of any such apprenticed labourers as aforesaid, should pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to such rules and in such manner as shall for that purpose be provided by any such Acts of Assembly, Ordinances or Orders in Council as thereinafter mentioned; provided, that no such apprenticed labourer should by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her :—

Right to the services of apprenticed labourers to be transferable property.

Be it therefore enacted by the authority aforesaid, that the right or interest of any employer or employers, to and in the services of any such apprenticed labourers aforesaid, shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to the provisions of the said Act of Parliament: provided nevertheless, that in every case in which the services of an apprenticed labourer shall or may be transferred by sale, no such apprenticed labourer shall be publicly exhibited or compelled to attend at the place of sale, as was the custom with respect to slaves.

CAP. XI.

AND whereas, by the 22d section of the said Act of Parliament, after reciting, that whereas it might be expedient that persons in the condition of apprenticed labourers should, during the continuance of such their apprenticeship, be exempted from the performance of any civil or military service, and be disqualified from holding any civil or military office, and from the enjoyment of any political franchise within this Colony, and should be exempted from being arrested or imprisoned for debt; it was therefore enacted, that nothing in that Act contained, extended, or should be construed to extend, to interfere with or prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local Legislature as aforesaid, of any such Colonies, or by His Majesty in Council, in reference to such of the said Colonies as were subject to the legislative authority of His Majesty in Council, of any Acts, Ordinances or Orders in Council, for exempting any such apprenticed labourers aforesaid, during the continuance of such their apprenticeship, from any such civil or military service as aforesaid; or for disqualifying them or any of them, during the continuance of any such apprenticeships, from the enjoyment or discharge of any such political franchise as aforesaid; or for exempting them, during the continuance of such apprenticeships, from being arrested or imprisoned for debt: And whereas it is expedient to exercise the powers and authority by the said 22d section granted and permitted :—

Apprenticed labourers exempted from certain duties, civil or military.

Be it therefore enacted, by the authority aforesaid, that persons in the condition of apprenticed labourers shall, during the continuance of such their apprenticeship, be exempted from the performance of any civil or military service, and be disqualified from holding any civil or military office, and from the enjoyment of any political franchise within this Colony, and shall be exempted from being arrested or imprisoned for debt: provided nevertheless, that nothing herein contained shall absolve any apprenticed labourer from the duty of serving in any civil or military capacity to which he may be called by the Governor, in case of

of invasion, rebellion, or any other great public exigency; or to any apprenticed labourer holding the office of constable, or any office in the service of any corporation or body politic, or in any church or ecclesiastical society, such as the situation of beadles, parish clerks, and any other employment, sometimes called offices, and which carry with them no political character or franchise.

CAP. XII.

1. AND be it further enacted, that every special justice of the peace shall be competent, and he is hereby authorized to administer oaths to all persons touching or concerning any matters or things belonging to or coming under his cognizance by virtue of this ordinance.

Definition of the word "employer."

2. And be it further enacted, that whenever the word "employer" shall have been made use of, or shall be found in this ordinance, the same shall mean the person who would be entitled to the possession of any apprenticed labourer still in a state of slavery.

Definition of "a day's hard labour."

3. And be it further enacted, that a day's hard labour shall be a period of time not exceeding 12 hours of actual labour within the 24 hours.

Memorandum of transfer of services of apprenticed labourers to be recorded.

4. And be it further enacted, that from and after the 1st day of August 1834, no deed or instrument whereby the services of any apprenticed labourer or labourers in this Colony shall be transferred or affected, or intended to be transferred or affected, shall be good or valid in law, to pass or convey, or affect the services of any such apprenticed labourer or labourers, unless an annotation or memorandum of such deed or instrument shall be made or recorded in a book to be kept for that purpose in the colonial registrar's office of each of the respective districts in this Colony, within one month after the making or executing such deed or instrument, if made or executed in this Colony; or within one month after the arrival in this Colony of any such deed or instrument, if made or executed out of the Colony.

Application of fines.

5. And be it further enacted, that all fines incurred and imposed under and by virtue of this Act, shall be paid into the colonial chest of the Colony.

And that no ignorance shall be pretended of this our Ordinance, these presents shall be printed and published in the customary manner.

Thus done and enacted at our adjourned Assembly, held at the Colony House, George Town, Demerara, this 8th day of March 1834, and published the following.

(signed) *J. Carmichael Smyth.*

FORMS referred to in the foregoing ORDINANCE.

(A.)—WARRANT.

Demerara and Essequibo (or Berbice), to wit. } To of District, and all other Officers of Police in the Colony of British Guiana.

Forasmuch as of , in the district aforesaid, apprenticed labourer, hath this day been charged before me , one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said , on, &c. at, &c. did, &c. These are therefore to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal, the day of , in the year of our Lord .

(B.)—SUMMONS.

To of , in the Colony of British Guiana.

Whereas a complaint on oath hath been preferred to me by of , that you the said did, on the day of , in the year of our Lord , [*here state the complaint in general terms*]. Now I , one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you the said to attend before me at , in the of in the said Colony, at the hour of in the of the day of in this present year 18 , then and there to answer the matters of the said complaint.

Given under my hand and seal, this day of , in the year of our Lord .

(C.)—SUMMONS.

To of , in the Colony of British Guiana.

These are to require you to attend and be personally present at the hour of in the of the day of 18 , at in the of , then and there to be examined before me as a witness touching and concerning the matters of a certain complaint depending before me on the behalf of against .

Given under my hand and seal, this day of , in the year of our Lord .

(D.)—RECOGNIZANCE.

Demerara and Essequibo (or Berbice), to wit. } *A. B.* of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of £. ; *C. D.* of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of £. ; *E. F.* of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and succcssors, in the sum of £. ; upon condition that the said *A. B.* do personally appear before me, or any one of His Majesty's special justices of the peace in and for the Colony of British Guiana, on the day of , at in the aforesaid, there to answer the complaint of , and do not depart without leave; then this recognizance to be void, or else to remain in full force.

Taken and acknowledged, the day of 18 , before me,
One of His Majesty's Special Justices of the Peace for the Colony of British Guiana.

(E.)—COMMITMENT.

Demerara and Essequibo (or Berbice), to wit. } To , Sergeant of Police, and all other Police Officers whom this may concern.

Whereas was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of British Guiana, on the complaint of , with, &c ; and whereas, having thought proper to adjourn the hearing of such complaint for further inquiry, the said hath , although by me required, and does to find sureties for his personal appearance before me or some other special justice of the peace, on the day of , at , to answer the premises. These are therefore, in His Majesty's name, to command you the said sergeant of police, and all other officers of police, safely to convey the said , and to deliver him to the keeper of ; requiring you the said keeper to receive and safely to keep the said until he shall find sureties, or otherwise be discharged by due course of law.

Given under my hand and seal, this day of , in the year of our Lord .

(F.)—CONVICTION by one Special Justice of the Peace.

British Guiana, to wit. } In the of .

Be it remembered, that on the of in the year of our Lord , at in the Colony of British Guiana, is convicted before me , one of His Majesty's special justices of the peace for said Colony, for that he the said did, &c. And I the said special justice adjudge the said , for his said offence, to

Given under my hand and seal, the day and year first above mentioned.

(G.)—CONVICTION.

British Guiana, to wit. } In the of .

Be it remembered, that on the day of in the year of our Lord , at in the Colony of British Guiana, is convicted before us, of His Majesty's special justices of the peace in and for the Colony of British Guiana in sessions assembled, for that he the said did . And we the said special justices adjudge the said , for his said offence, to

Given under our respective hands and seals, the day and year first above mentioned.

(H.)

The Forms (F.) and (G.) will be found applicable to all other Convictions.

(I.)—COMMITMENT.

Whereas was this day brought before me, the undersigned special justice of the peace in and for the Colony of British Guiana, on a complaint that he the said did, &c. And I, the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a supreme court of criminal justice, do hereby commit the said to , there to be detained until discharged by due course of law. These are therefore, in His Majesty's name, to command you, , constable, and all other officers of police, safely to convey the said to the keeper of ; requiring you the said keeper to receive and safely to keep the said until he be discharged by due course of law.

Given under my hand and seal, this day of , in the year of our Lord .

(K.)—RECOGNIZANCE.

British Guiana, to wit. } , of , in the said Colony, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of £. ; , of , in the said Colony, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of £. ; of , in the said Colony, acknowledges himself to be indebted to our Sovereign Lord the King in the sum of ; upon condition that the said do personally appear at the next district sessions of special justices, to be held at in the Colony aforesaid, there to answer a complaint of , that he the said , on, &c. at, &c. did, &c. ; and do not depart the court without leave; then this recognizance to be void, or else to remain in full force.

Taken and acknowledged, the day of , before me,
{One of His Majesty's Special Justices of the Peace
for the .

(L.)—WARRANT.

British Guiana, to wit. } To , Sergeant of Police in and for the District of .

Whereas , of His Majesty's special justices of the peace in and for the Colony aforesaid, in pursuance of an ordinance made in the 4th year of the reign of His Majesty William the Fourth, intituled "An Ordinance for the Government and Regulation of Apprenticed Labourers," have awarded, on the day of , on the complaint of against , for, &c. a fine or penalty of , to be paid by the said ; and whereas the said , being ordered by the said justice to pay the said sum as aforesaid, hath not paid down or given security for the same to the satisfaction of the said justice. These are therefore to command you to levy the said sum of by distress and sale of the goods and chattels of the said . And do hereby order and direct the goods and chattels so to be distrained to be sold and disposed of within days, unless the said sum of , for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand and seal, at , the day of , in the year of our Lord 18 .

(M.)—WARRANT.

To

Whereas on the day of I did issue to , of , in the Colony of British Guiana, my summons requiring to attend before me at , in the of , in the said Colony, at the hour of in the of the day of , in this present year of , then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by against ; and whereas the service of the summons on the said hath been made to appear to me on the oath of one credible witness, and yet the said hath refused or neglected to appear at the time and place so appointed. Now, you are hereby authorized and required to arrest the person of the said , and to bring before me, at the hour of in the of the day of ,

at

at in the of in the said Colony; and for so doing this shall be your warrant.

Given under my hand and seal, this day of , in the year of our Lord .

(N.)—COMMITMENT.

To , Constable.

Whereas having before me as a witness upon a certain complaint depending before me on behalf of against , on this day of 183 , at , in the of , in the Colony of British Guiana, without lawful cause hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to , touching the subject of such hearing and inquiry. Now, I do hereby authorize and require you to detain the said in , in the of , there to remain until shall submit to touching the subject of such hearing and inquiry; and for so doing this shall be your warrant.

Given under my hand and seal, at , this day of , in the year of our Lord .

(O.)—DECLARATION.

I , of , in the parish of , in the district of , in the Colony of British Guiana, do hereby declare my intention to be to maintain the apprenticed labourers in the employ of , whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L., *M.*, *N.*, *O.*, *P.*, *Q.* — By the cultivation of ground to be to them apportioned for that purpose.

R., *S.*, *T.* — By an allowance of provisions.

(P.)—SCALE of Food.

Both sexes of 12 years and upwards, at the rate of, weekly:

2 lbs. dried fish, or 3 lbs. herrings, mackerel or shad, or 2 lbs. salt beef or pork, or 3 lbs. fresh beef or pork, with half pint of salt.

One or more bunches of plaintains, weighing not less than 56 lbs. gross, or 25 lbs. yams or potatoes, or 20 lbs. eddoes or tanyahs, or 10 pints wheat flour or Indian corn, or other meal or rice.

Both sexes, six to 11 years:

One half of the above.

Both sexes under five years:

A sufficient quantity of farinaceous food, to be cooked for them under the superintendence of their nurses; it being impossible to regulate the quantity in any fixed manner.

(Q.)—SCALE of Clothing, Bedding, Household Furniture, &c. for Males.

Of 15 years and upwards:

Yearly,—one blue or grey cloth jacket, one felt hat, one pair Oznaburg and one pair blue cloth trousers, one check shirt, one woollen shirt, two salempores or blue cotton laps or waistcloths.

Every two years,—one blanket, one knife, one razor (if requisite.)

10 to 14 years, inclusive:

Yearly,—one blue or grey cloth jacket, one felt hat, cap or Scotch bonnet, one pair Oznaburg or blue trousers, one check shirt, one red or woollen shirt, two salempores or blue cotton laps or waistcloths.

Every two years,—one blanket.

Six to nine years, inclusive:

Yearly,—one blue or grey cloth or linen jacket, one hat, bonnet or cap, two salempores or blue cotton laps or waistcloths, three yards Oznaburgs, three yards check, to be made into small trousers or frocks, according to size.

Every two years,—one blanket.

SCALE of Clothing, &c. for Females.

Of 15 years and upwards:

Yearly,—one felt hat or bonnet, one blue or grey cloth wrapper, two shifts of check, two Oznaburg or one blue cloth petticoat, two handkerchiefs.
Every two years,—one blanket, one pair scissors.

Six to 14 years, inclusive:

Yearly,—one felt hat or bonnet, one cloth wrapper as above, one check or Oznaburg shift, two Oznaburg or one cloth petticoat, two hankerchiefs.
Every two years,—one blanket.

Children under five years of age, both sexes:

A sufficient quantity of linen checks or calicoes as will make for each three suits annually. A suitable sized blanket to be given to the mother or nurse of each child, and continued every second year.

Lepers, Invalids, and People incapable of labouring or undergoing exposure, of both sexes:

Yearly,—one Oznaburg frock, one blue or red woollen shirt, one felt hat, cap or bonnet.
Every two years,—one blanket.

Allowance of Household Furniture:

To each dwelling-house, one table.
To each family (when required), an iron pot and a saucepan.

(R.)—AWARD or Sentence.

British Guiana, to wit. } Whereas proof having been made to the satisfaction of the district sessions of special justices, held on the day of , at plantation , in district No. , in the Colony of British Guiana, that hath not paid to the sum of , being the amount stipulated to be paid by to , for work and labour done and performed according to a contract, bearing date the day of ; it is hereby awarded that the said do pay to the said the said sum of , free of all deductions whatsoever, within days after the date of this award, on pain, in default thereof, of a levy being made upon the property of the said .

Thus done and awarded, at , in the parish of , in the Colony aforesaid, this day of 183 .

(S.)—WARRANT of Execution.

British Guiana, to wit. } Whereas at the district sessions of special justices, held on the day of , at , in district No. , in the Colony of British Guiana, it was awarded that of should pay to the sum of , free of all deductions whatsoever, within days after the date of that award, on pain, in default thereof, of a levy being made upon the property of the said ; and whereas the said hath not paid the said sum of to the said , although the time allowed for the payment thereof hath expired. These are therefore to command you to levy the said sum of by distress and sale of the goods and chattels or other property of the said . And it is hereby ordered and directed the goods and chattels so to be distrained to be sold and disposed of within days after such levy, unless the said sum of for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand and seal, at , the day of , in the year of our Lord .

(T.)—WARRANT of Apprehension and Commitment.

To the Sergeant of Police Settlement No. , in the Colony of British Guiana; and also the Keeper of , in , in the said Colony.

Demerara and Essequibo (or Berbice), to wit. } Whereas in pursuance of an ordinance, intituled "An Ordinance for the Government and Regulation of Apprenticed Labourers," the district sessions of special justices, held on the day of , at , in district No. , in the Colony of British Guiana, did issue a warrant of distress and sale, directed to , of the said parish of , ordering the said to levy the sum of by distress and sale of the goods and chattels or other property of the said in manner and form as therein mentioned; and whereas it appears

appears to by the return of the said , that he hath made diligent search, but doth not know of, nor can find any goods, chattels or other property of the said by distress and sale whereof the sum of may be levied pursuant to the said warrant. These are therefore to command you the said to apprehend the said , and convey him to the said , and to deliver him to the said keeper of the said ; and these are also to command you the said keeper of the said to receive the said , and there to keep him to hard labour for the space of from the date thereof, or until such sum, together with the expenses attending the proceedings against the said , and this commitment to the said , be first paid, or until he be discharged by due course of law.

Given under hand and seal, at the day of , in the year of our Lord 183 .

(U.)—ACT of Transfer.

British Guiana, } Be it known that we, of His Majesty's special justices of the
to wit. } peace in and for the Colony of British Guiana, having ascertained that the transfer of the hereinafter mentioned prædial apprenticed labourers at present attached to plantation in the parish of in the Colony aforesaid, belonging to , from said plantation to plantation , in the parish of in the said Colony, also belonging to , will not have the effect of separating any of the said attached prædial apprenticed labourers from his or her wife or husband, parent or children, or from any person or persons reputed to bear any such relation to him or her, and that such transfer will not probably be injurious to the health or welfare of such attached prædial apprenticed labourers; do hereby consent that the said , who is entitled to the services of said prædial apprenticed labourers, do transfer to said plantation the services of , attached prædial apprenticed labourers. This act of transfer to be recorded in the colonial registrar's office within one month from the date hereof.

Given under our respective hands and seals, at in the parish of in the Colony aforesaid, this day of 183 .

(W.)—INDENTURE of Apprenticeship.

This indenture, made the day of in the year of our Lord 183 , between *A. B.*, one of His Majesty's special justices of the peace in and for the said Colony, for and on behalf of *C. D.*, an infant, aged years, of the parish of in the said Colony, of the one part, and *E. F.* of in the said Colony, of the other part. Whereas *E. F.* (the employer) hath agreed with the said *A. B.* (the special justice) to take the said *C. D.* (the apprentice) as his apprentice for the term of years, to be taught and instructed in the trade or business of , in consideration and subject to the terms and conditions hereinafter contained: Now this indenture witnesseth, that in pursuance of the said agreement and in virtue of the ordinance in this case made and provided, he the said *E. F.* (the employer) doth hereby, for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said *A. B.* (the special justice) in the manner following, that is to say: That he the said *E. F.* (the employer) shall and will during the term of years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed, the said *C. D.* (the apprentice) in the trade or business of , and all and every the matters and things whatsoever incident or relating thereto; and also shall and will during the said term find and provide the said *C. D.* (the apprentice) with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony; and shall also allow to the said *C. D.* such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a special justice of the peace of the district in which the said *C. D.* shall reside. And in consideration of the covenants and agreements hereinbefore contained on the the part of the said *E. F.* (the employer), he the said *A. B.* (the special justice) hath placed and bounden, and by these presents doth place and bind, the said *C. D.* (the apprentice) as a apprenticed labourer unto and with the said *E. F.* (the employer) for the said term or period of years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said *C. D.* (the apprentice), to and with the said *E. F.* (the employer), covenant, promise and declare, that he the said *C. D.* (the apprentice) shall and will, during all and every part of the said term of years, truly and faithfully serve the said *E. F.* (the employer) as a apprenticed labourer in the said trade and business of , and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said , special justice as aforesaid, for and on behalf of the said *C. D.*, have hereunto set my hand and seal; and the said *E. F.* hath also set his hand and seal in my presence, at in the Colony aforesaid, the day and year first above written.

MAURITIUS.

Appendix (B.)

Order in Council. No. 16.

— No. 16. —

MAURITIUS.

AN ORDER of the KING in COUNCIL, "for giving effect in the Colony of the *Mauritius* to the Statute 3 & 4 Will. IV, c. 73, for the Abolition of Slavery throughout the British Dominions."

At the Court at St. James's, the 17th day of September 1834;

Present,

The King's Most Excellent Majesty in Council.

WHEREAS, by a certain Act of Parliament passed in the 3d and 4th years of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is, amongst other things, recited, that it is necessary that various rules and regulations should be framed and established for ascertaining with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or apprenticeship may be effected, and for prescribing the form and manner in which and the solemnities with which the purchase by any such apprenticed labourer, or his or her discharge from such apprenticeship without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services shall be effected, and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of such appraisement shall in each case be paid and applied, and in what manner and form and by whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded; and that it is also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship from the Colonies to which they may respectively belong; and that it will also be necessary for the protection of such apprenticed labourers as aforesaid that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are by the said Act declared entitled to receive, and for regulating the amount and quality of all such articles, in cases where the laws at present existing in any such Colony may not in the case of slaves have made any regulation or any adequate regulation for that purpose; and that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same; and that it is necessary in those cases in which the food of any such prædial apprenticed labourers as aforesaid may either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour; and that it may also be necessary by such regulations as aforesaid to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers; and that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same; but that it may be necessary by such regulations in certain cases to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached

to

to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake; and that it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers, or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers, and of the person or persons engaging for their employment and hire; and that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services; and that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such indentures; and that it is also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge by the justices of the peace holding such special commissions as in the said Act mentioned of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of the said respective Colonies itno districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties; and that such regulations as aforesaid could not without great inconvenience be made except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty, with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; it is therefore enacted and declared in and by the said Act, that nothing therein contained extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local Legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as may be requisite, for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order, which shall be in anywise repugnant or contradictory to the said recited Act, or any part thereof, but that every such enactment, regulation, provision, rule or order shall be and is thereby declared to be absolutely null and void, and of no effect.

Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the Island of Mauritius, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that the several rules and regulations contained in the 12 chapters hereunto subjoined and annexed, and which 12 chapters are and shall be taken to be part of this present Order, shall extend to and be in force within the Island of Mauritius, and the dependencies thereof, upon, from and after the 1st day of February 1835.

And the Right Honourable Thomas Spring Rice, one of His Majesty's principal Secretaries of State, is to give the necessary directions accordingly.

(signed) *C. C. Greville.*

Cap. I.

On the Judicial and Ministerial Agency to be employed.

1. The Colony of Mauritius shall be divided into not less than seven judicial districts.
2. The Governor shall by proclamation define, and, as occasion may require, shall alter the limits of such districts.
3. One special justice, at least, shall be appointed to each of the before-mentioned districts.
4. In each district shall be set apart one or more tract or tracts of land, which, with the building to be erected thereon, shall be called the police settlement or police settlements of the district.
5. Every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district.
6. It shall be lawful for the special justice or special justices of each district to license in such district places of safe custody and correction, situate at convenient distances from each other.
7. The Governor shall appropriate for the formation of the police settlements any waste lands of the Crown which may be situate conveniently for that purpose; and in districts where such Crown lands cannot be found, shall, by exchange or purchase, procure the lands wanting for the purpose.
8. At the first formation of any such police settlement, the members thereof, assisted by such hired labourers as may be indispensable, shall be employed in the erection of tempo-

rary buildings for their own occupation, such buildings to be hereafter superseded by more permanent buildings, to be erected by the means subsequently mentioned.

9. At each police settlement shall be erected a house of correction.

10. Until permanent police settlements shall be formed, and the buildings requisite for that purpose erected, it shall be lawful for the Governor, with the advice and consent of the Legislative Council to procure and provide, by hire or otherwise, suitable buildings, to be occupied temporarily as police settlements.

11. At each police settlement shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.

12. Every such police settlement, place of safe custody and correction, shall be placed under the general charge of the special justices of the district, and under the immediate superintendence of a special justice of the district, to be selected by the Governor for that purpose, and who shall be called a superintending special justice, and shall reside thereat, or in the immediate vicinity thereof.

13. Each police settlement shall consist of no less than one sergeant and five privates, all being able-bodied men, between the ages of 20 and 50 years.

14. The sergeant and privates of each police settlement shall be appointed by the Governor, and shall be liable to be removed by him for bad conduct or inefficiency.

15. The sergeants and privates shall be liable to be suspended from office by the superintending special justice or justices of the district, subject to the Governor's confirmation or disallowance of such suspension.

16. In addition to the police force stationed at each police settlement, the superintending special justice shall appoint and swear in such persons in their respective districts as they shall think fit to act as constables. Nothing herein contained shall prevent an apprenticed labourer from being appointed, sworn in and acting as a constable.

17. The superintending special justices shall, once in each quarter, respectively make to the Governor a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

18. The Governors shall from time to time, by and with the advice of the legislative Council, frame and publish all necessary rules for the internal discipline of the said police settlements, and of the said places of safe custody and correction; for the clothing, arming, supporting and remunerating the sergeant and privates of the said police; for remunerating the said constables; for securing the due performance, by the said police and constables, of their respective duties; for the employment of the penal gang, and also of the sergeants and privates of the said police when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. And all rules so framed and published shall be transmitted for His Majesty's approbation, and shall, until disallowed or altered, remain in full force.

19. It shall be the duty of the sergeant and the privates to carry into execution such orders as they shall receive from the special justice for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

Cap. II.

On the Procedure to be observed by the Special Magistrates in the Exercise of their Jurisdiction.

1. Every superintending special justice shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

2. Every such superintending special justice shall, one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him.

3. Every plantation in each district, upon which 10 or more apprenticed labourers shall be employed, shall be visited by a superintending or other special justice once in each fortnight, or oftener if need be, who shall there take cognizance of such cases as may be brought before him, whether such cases shall relate to apprenticed labourers employed on that plantation or to any other apprenticed labourers.

4. Every such special justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which he may think desirable.

5. All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor.

6. At the end of each quarter the special justice shall transmit to the Governor a duplicate of his journal for the preceding quarter, with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged, as such special justice, during the quarter to which it refers.

7. On

7. On receiving any complaint, it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over, to the complainant, by whom it shall be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

9. Upon taking any complaint, to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue, if necessary, a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A.), and the summons in the form annexed, marked (B.)

10. The warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the justice is to proceed in the first instance by summons, if necessary.

11. In cases in which it may be necessary to adduce witnesses in support of or in answer to any such complaint, the justice shall issue a summons, if necessary, to every such witness, in the annexed form, marked (C.)

12. At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the justice shall, in the presence of all parties, or of such of them as being summoned shall attend in pursuance of such summons, first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

13. The justice may from time to time adjourn any such proceeding for further inquiry, and, if necessary, commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such commitment or bail shall be in the annexed forms, marked (D.) and (E.)

14. At the close of such proceedings the justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand.

15. By any such decision the justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any lawful compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial for the imputed offence.

16. If the complaint shall be dismissed, the justice shall, in such his written decision, state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

17. If any such complaint shall be so dismissed as frivolous and vexatious, the justice may adjudge the complainant, if a labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week, or to any number of stripes not exceeding 15; or if the complainant be the employer, the justice may adjudge such employer to the payment of a penalty, for the use of the labourer, of not less than 10*s.* sterling, and not greater than 5*l.* sterling.

18. If any such complaint shall be so dismissed as malicious, it shall be competent to the justice, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30; or, if the employer of any such labourer, to a fine not less than 40*s.* sterling, and not greater than 10*l.* sterling, for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation, or otherwise, in respect of such his complaint.

19. If the justice shall, by such his decision, convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious or a malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (F.) and (G.)

20. If such magistrates shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (H.)

21. Upon any such conviction as aforesaid by such special justice, he shall forthwith issue a warrant for the execution thereof.

22. All summonses, warrants, commitments and other orders, so to be issued by any such justice as aforesaid, shall be executed by the police officers of his district; such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with, or instead of, such officers of police as to him may seem requisite.

23. Any summons, warrant or order issued by any such special justice within his own district may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

24. If any person summoned by such justice as a witness shall not appear in obedience to such summons, or, appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice in relation to the matters depending before him, it shall be lawful for such justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest or commitment shall be in the form annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Governor and Legislative Council

Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the several districts within the Colony, or of any one or more of such districts, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with advice and consent of the Legislative Council, shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

26. It shall be lawful for the Governor to assign to such one or more of the special justices as he shall select for that purpose the following duties; namely, to examine into the quarterly journals hereby directed to be transmitted by the special justices to the Governor; to visit the judicial districts throughout the whole or any part of the Colony, and to inspect the police settlements and places of safe custody and correction belonging to such district; and to examine into the state of the police force, and of the prisoners in the houses of correction and places of safe custody, and of the penal gangs in such districts, and generally to ascertain how far the rules hereby established, or to be established, under the provisions herein contained are duly observed, and to report to the Governor, at such times and in such manner as the Governor shall direct, upon the several matters aforesaid.

27. If any suit or action shall be commenced against any special justice in respect of any act, matter or thing by him done by virtue and in pursuance thereof, and if the Court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

28. If in any such suit or action such justice shall, at any time before final judgment, tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

29. No suit or action shall be brought against any such justice in respect of any matter or thing by him done under or in pursuance hereof, unless the same shall be commenced within six months after the cause of action occurred.

Cap. III.

On the Division of Apprenticed Labourers into their respective Classes.

1. By a day to be appointed for that purpose, the registrar of slaves shall deliver to every owner of slaves a list of the slaves appearing in the registry to belong to him; for which a fee of 2*s*. only shall be charged.

2. By a time to be fixed for the purpose, every such owner of slaves shall return such list to the registrar, distinguishing in reference to each slave therein mentioned, to which of the three classes he belongs.

3. To every such return shall be annexed an affidavit, to the effect that the distinctions therein made correspond with the occupations usually pursued for 12 months next preceding the date of the Act by each of the slaves to whom such returns may refer.

4. If in any case the registrar shall see cause to doubt the accuracy of the return, he shall appoint a time and place, at which the owner shall attend him, to substantiate the accuracy of such return.

5. At the time and place so to be appointed, the person to whom such notice shall be addressed shall attend such registrar, and if required, shall bring with him any slave respecting whom any such doubt may have arisen.

6. The registrar shall then proceed to examine the person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return, and may, if necessary, adjourn such examination from time to time.

7. The registrar shall then either confirm or correct any such return as he may see fit, giving notice to the party making such return, and to the slaves respectively, of such his decision.

8. If either of the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may, on his own behalf, and the registrar may, on the behalf of such slave, apply to the chief or to any other judge of the superior court in such Colony, by petition, setting forth the nature of such decision and the objections thereto.

9. The judge to whom any such petition may be preferred shall proceed in a summary way to hear and decide the same, and his decision shall be final and conclusive.

10. The judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition in the manner which may be most conducive to method, punctuality and dispatch.

11. When such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry, the letters P. A.; of each prædial unattached slave, the letters P. U.; and of each non-prædial slave, the letters N. P.

12. During

12. During the continuance of the apprenticeship, the slave registry, so corrected as aforesaid, shall be deposited amongst the records of the superior courts of the Colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

13. Any person neglecting or omitting to make the return, or the affidavit before-mentioned, or to attend the registrar when summoned by him for that purpose, shall incur a penalty of not more than 10*l.*, nor less than 20*s.*; and in the event of the wilful absence of any such person, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended.

Cap. IV.

On the Maintenance of the Apprenticed Labourers.

1. It shall be the duty of every employer of prædial apprenticed labourers, within the third week of the month of September of each year, to deliver, or cause to be delivered to the special justice of the district in which such prædial apprenticed labourers are resident, a written declaration in the form annexed, marked (L.), specifying whether it is the intention of such employer, during the current year, to maintain his prædial apprenticed labourers by the cultivation of ground, to be to them appropriated for that purpose, or by an allowance of provisions.

2. That every employer who shall, by such declaration as aforesaid, propose to maintain his prædial apprenticed labourers by an allowance of provisions, shall be and is hereby bound and required to supply to such prædial apprenticed labourers such amount of provisions, and of such kind, as by the clause next hereinafter contained are directed to be supplied to non-prædial apprenticed labourers above the age of 10 years.

3. Every employer shall be and is hereby bound and required to maintain his non-prædial apprenticed labourers, and also his prædial apprenticed labourers, until such written declaration shall have been so made and delivered by him as aforesaid, by an allowance of provisions, and to supply such provisions to the amount and of the kinds following; that is to say, each and every apprenticed labourer, above the age of 10 years, shall receive in each week not less than six pints of wheaten or rye flour, or rice, or nine pints of corn-meal or farine of manioc, or 7 lbs. of biscuit, or 50 full-grown plantains, or 21 lbs. of yams or sweet cassada, or sweet potatoes, or eddoes, or tanniers, and 3 ½ lbs. of good salted cod fish, commonly called salt fish; and to all apprenticed labourers under the age of 10 years, one-half of the above allowance.

4. All provisions so to be supplied to the apprenticed labourers in the Colony of Mauritius shall be sound and fit for consumption, and of good average merchantable quality.

5. The Governor of the said Colony may from time to time by proclamations, to be by him for that purpose issued, authorize the substitution for the provisions aforesaid of any other provisions equivalent to and equally nutritious with the same.

6. The apprenticed labourers to whom such provisions shall be supplied shall also be provided by, and at the expense of their employers, with the means of preserving the same from week to week, and of properly preparing the same for human food.

7. Every employer of prædial apprenticed labourers who shall by such declaration as aforesaid propose to maintain such prædial apprenticed labourers by the appropriation of ground, to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every prædial apprenticed labourer so to be maintained half an acre of land, properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such prædial apprenticed labourer.

8. Every such employer shall be and is hereby bound and required to supply every prædial apprenticed labourer for whom any such ground shall be so appropriated with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such prædial apprenticed labourer in the occupation thereof.

9. It shall not be lawful for any person whomsoever to dispossess any prædial apprenticed labourer of any land so cultivated by him or her, until such labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

10. The crops, when growing upon any such ground, and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the prædial apprenticed labourer for and in respect of whom such ground shall have been appropriated and set apart.

11. Every prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart for his support shall, out of the annual time during which such prædial apprenticed labourer is by the said recited Act required to labour, after the rate of 45 hours per week as aforesaid, be allowed such number of hours, not being fewer than 4 ½ hours per week, and not being more than 7 ½ hours per week, as the Governor, with the advice and consent of the Legislative Council, shall, by rules to be framed for that purpose, determine; which rules shall be duly transmitted for His Majesty's approbation, and until disallowed or altered, shall remain in full force.

12. If any employer of prædial apprenticed labourers within the said Colony of Mauritius shall neglect or omit to sign and deliver, in manner and within the time hereinbefore mentioned,

tioned, such written declaration as aforesaid, he or she shall incur a penalty of 2*l.* for such omission or neglect in respect of the first week in which the same shall occur, with additional penalties of 4*l.* in the second week, 6*l.* in the third week, and so on in arithmetical progression in respect of each additional week during which such neglect shall be continued; and if any employer or manager of apprenticed labourers shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times as he is hereinbefore required to supply the same, or shall not provide such apprenticed labourers with the means of preserving such provisions from week to week, or with the means of properly preparing the same for human food, every employer shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied, or for the preservation and preparation of which such means as aforesaid ought to have been provided, which last-mentioned penalties shall accrue to and be for the benefit of the apprenticed labourers injured by any such omission or neglect; and if any such employer of prædial labourers shall not set apart for every prædial apprenticed labourer who is maintained by the cultivation of ground such land, of such quality and quantity, and so situate as hereinbefore is required, or shall neglect or omit to supply any such prædial apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such prædial apprenticed labourer of any land by him or her cultivated, until such prædial apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted, and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such prædial apprenticed labourer by every such act, omission or neglect, which penalty shall go and be applied to and for the use and benefit of the prædial apprenticed labourer so injured; and if any such employer of prædial apprenticed labourers shall neglect or omit to allow to any prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated such number of hours as aforesaid in each week for the cultivation thereof, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10*s.*, which shall go and be applied to and for the benefit of the prædial apprenticed labourers injured thereby, the number of such penalties being equal to the number of prædial apprenticed labourers affected by such offence multiplied by the number of the days on which such offences may have been repeated.

13. It is and shall be the duty of every employer of apprenticed labourers within the said Colony once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required to deliver to every such apprenticed labourer for his or her use, either in the month of January or in the month of June in each and every year, the following articles; that is to say,

To every male apprenticed labourer above the age of five years, one felt hat, one Scotch bonnet, one cloth wrapper or jacket, two red flannel or Oznaburg or check shirts, two pairs of cloth, Oznaburg, or duck or sheeting trousers, and one knife.

To each and every female apprenticed labourer above the age of five years, one felt hat, one cloth wrapper, two neckerchiefs, two linen or cotton shifts, two dowlas or Oznaburg petticoats, and one pair of scissors. Also, to every apprenticed labourer one tin pan or pannikin annually, one blanket every two years, and one iron pot every three years, or oftener, if necessary.

14. Provided always, and it is further ordered, that with the authority in writing of any special justice of the district in which any such apprenticed labourers are resident, the employer of any such apprenticed labourers may, and is hereby authorized to substitute for the articles hereinbefore enumerated any other articles of clothing or household furniture which shall, in the judgment of such special justice, be equivalent to the articles hereinbefore directed and prescribed; and all the articles so to be supplied to such apprenticed labourers as aforesaid, which shall be conformable to the before-mentioned directions, or substituted in manner aforesaid, shall be of good average merchantable quality.

15. If any employer of apprenticed labourers in the said Colony shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any apprenticed labourer under his or her management such articles of clothing and household furniture as are hereinbefore referred to, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

16. Every employer of apprenticed labourers within the said Colony shall be and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot, at the least, above the ground; and every employer who shall neglect or omit so to supply any such apprenticed labourer with such bedstead, or such means of sleeping above the ground as aforesaid, shall for every such neglect or omission incur and become liable to a fine of 5*s.* in respect of each and every apprenticed labourer, which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

17. Every person in the said Colony being the employer of 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity once at the least in each 14 days; and it shall be the duty of such medical practitioner, and he is hereby authorized and required to keep a journal of the health of such body of apprenticed labourers so placed under his medical superintendence, in which journal he shall, once in each 14 days, record what is the general

ral state of health of such body of apprenticed labourers, and shall also enter the name of each apprenticed labourer then labouring under sickness, distinguishing such apprenticed labourers as are thereby disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the sick; and it shall be the duty of every such medical practitioner once in each fortnight to deliver a copy of the entries so made by him in his journal to the employer of such apprenticed labourers, which employer shall be and is hereby required to supply such apprenticed labourers with such medicines or nourishments, and to allow to such apprenticed labourers such relaxations of labour as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of apprenticed labourers shall be and are hereby suspended; and every such medical practitioner shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any such superintending special justice, to produce to such justice his journal; and in case of any acute or dangerous disease of any apprenticed labourer, the employer of such apprenticed labourer shall and is hereby required to employ, at his own costs and charges, a medical practitioner for the care and medical treatment of such apprenticed labourer.

18. If any such employer of apprenticed labourers as aforesaid in the said Colony, or if any such medical practitioner as aforesaid shall refuse, neglect or omit to do or perform any matter or thing which such employer or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment, nourishment, or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall for and in respect of every such offence incur and become liable to a fine of not less than 2 *l.* or more than 20 *l.*

19. Every apprenticed labourer who, on account of any disease, the medical practitioner shall deem it necessary to confine to the hospital, or to any apartment thereof, for the purpose of cure, shall be bound, and if necessary may be compelled, to submit to such hospital regulations as shall be sanctioned by a superintending special justice of the district in which such apprenticed labourer shall be resident.

Cap. V.

On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their Non-performance.

1. As regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, it shall be lawful for the Governor, with the advice and consent of the Legislative Council, to make such regulations in respect thereof as may appear to them best adapted to promote the interests both of the apprenticed labourers and their employers, and to frame and publish rules and ordinances for that purpose, which shall be duly transmitted for His Majesty's approbation, and which, until disallowed or altered, shall remain in full force.

2. Subject to the provision lastly hereinbefore contained, and subject also to the deduction of the time hereinbefore directed to be allowed to prædial apprenticed labourers for the cultivation of their provision-grounds, every prædial apprenticed labourer shall be bound and obliged to work and labour for seven hours and a half in each and every day in the year (Sundays and holidays hitherto allowed by law to the labouring population excepted) in the service and for the benefit of his employer.

3. For every hour in which any labourer shall absent himself from his employer's service without reasonable cause he shall be compelled to serve two extra hours, and so in proportion for every portion of time greater or less than an hour, provided that such extra hours shall not exceed 15 in the whole in any one week.

4. Any apprenticed labourer absenting himself without reasonable cause for more than seven and a half hours in any one week shall be adjudged a deserter.

5. Any apprenticed labourer absenting himself without reasonable cause for two days during one week shall be adjudged a vagabond.

6. Any apprenticed labourer absenting himself without reasonable cause for more than six days in any one week shall be adjudged a runaway.

7. The reasonableness of the cause of absence shall in each case be decided by the special justice.

8. Apprenticed labourers adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding 15; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30.

9. Any apprenticed labourer convicted of performing his work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in his employer's service for any time not exceeding 15 hours in the whole (in any one week); or in case such labourer be a non-prædial labourer, to whipping not exceeding 15 stripes; for the second offence, if within two calendar months, to confinement with hard labour for any time not exceeding one week; for the third or any subsequent offence, if within two calendar months of the first offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding 20 stripes.

 10. Any

10. Any labourer who by the careless use of fire shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer intrusted to his care, or who shall ill-use the cattle or other live stock of his employer, or who shall by wilful negligence expose his employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the justice, either to extra labour in his employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two of such punishments: provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to in respect of any such acts by him or her done or omitted, although no such labourer shall be liable to be so sued or prosecuted both under this order and under such general law as aforesaid.

11. Any apprenticed labourer who shall contumaciously disobey the lawful commands of his employer shall be liable to any one or any two of the punishments last aforesaid.

12. Any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes.

13. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer shall, on conviction, be adjudged to the punishments last aforesaid, or any one of them.

14. Any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer, or any person in the immediate superintendence of his labour, shall for every such offence be liable, on conviction, to imprisonment with hard labour for any time not exceeding one week, or to whipping not exceeding 15 stripes.

15. Provided always, that no woman shall be subject to be punished by whipping for any offence by her committed, but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks. The stocks to be employed for that purpose shall all be according to one general model, to be sanctioned by the Governor, and no female shall for any offence by her committed be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days on the whole for any one offence.

16. All the offences aforesaid shall be inquired of by the magistrates having special commissions, and not by any other justice of the peace; but any such special magistrate may, if he shall see occasion, refer any such case for trial to the superior court of the colony.

Cap. VI.

On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their Non-performance.

1. If the employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of 1*s.* in respect of every hour which such service shall be protracted.

2. It shall be the duty of every such employer to intimate to the labourers in his employment the commencement and the close of the legal hours of labour, for which purpose a signal shall be given, in such manner as shall in reference to each plantation have been previously approved by the special justice of the district.

3. No apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

4. Every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall by such employer be reduced into writing and entered in a book to be kept for that purpose on the plantation, which book it shall be the duty of the special justice to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

5. No contract between the employer and the prædial apprenticed labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days; and every such approbation of any such contract shall by such special justice be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the special justice before approving any such contract to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7. In

7. In every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. No contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. Upon proof being made, to the satisfaction of such special justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to award execution against such employer for the amount of such consideration, and if the same shall not be paid within one week next after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be respectively in the forms annexed, marked (M.) and (N.)

10. Such execution and attachment as aforesaid shall be executed by the sergeant of the police of the district, who shall thereunder seize and sell so much of the produce, utensils and other chattels as may be found upon such plantation, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any apprenticed labourer violating the terms of such contract as aforesaid for task-work or for extra services shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra service.

13. If any employer of any apprenticed labourer, or any person who as manager or otherwise exercises the authority of the employer over any apprenticed labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer or other person shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5*l.*, with imprisonment for any time not exceeding one month in default of the payment of such fine.

14. In any such case as last aforesaid it shall be competent to any such apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before any court having jurisdiction in the premises. If any such employer or other person shall be convicted before any court of competent jurisdiction of any cruelty towards his apprenticed labourer, or if any such employer or other person shall be twice convicted of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship by order of the court before which such conviction shall be had.

Cap. VII.

On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.

1. If any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace who shall be present at the same shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly.

2. All persons who at the expiration of 10 minutes from the exhibition of such flag or signal shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment with hard labour for any time not exceeding 12 months.

3. No prædial attached apprenticed labourer shall reside beyond the limits of the plantation on which he may be resident on the 1st of February next, unless either by the authority of his employer or with the consent in writing of the special justice of such district.

4. Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special justice of the district, shall be liable to be apprehended and detained, and brought before a special justice; and unless such labourer shall make it appear to the satisfaction of such special justice that he or she when so found was employed upon his or her lawful occasions, such labourer shall on conviction be adjudged a vagabond and punished accordingly.

5. If it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have without lawful authority established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall cause any such community to be dislodged, and, if necessary, shall also cause their habitations to be taken down and removed.

6. Any labourer convicted of having been a member of any such community shall be liable to imprisonment with hard labour for any term not exceeding six months, and if a male, to whipping by any number of stripes not exceeding 39.

7. If any labourer shall without lawful authority enter into possession of any land belonging to His Majesty or any other person, it shall be lawful for any special justice to dispossess such labourer from such land, and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony.

8. The summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

9. The special justice may further adjudge any apprenticed labourer unlawfully taking possession of such land to imprisonment with hard labour for any time not exceeding three months, if it should be made to appear to his satisfaction that such possession was taken fraudulently and with knowledge that the party had no lawful claim to such possession.

10. No apprenticed labourer shall quit the Colony except with a passport from the Governor, which passport shall not be granted except with the written consent of the employer.

11. Any labourer quitting or attempting to quit the Colony without such passport shall be liable to imprisonment with hard labour for any term not exceeding six months.

12. All persons whose ordinary occupation is on the sea or on any navigable stream, as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation without being first so registered shall be liable to imprisonment with hard labour for any time not exceeding three months.

13. All vessels and boats not registered under the Navigation Acts shall be registered at the office of the special justice of the district, with whom shall be entered the description of the vessel or boat, the name of the owner, and the place at which the same is usually moored.

14. No person shall keep a vessel or boat so registered except by a licence from the Governor.

15. All licensed owners of such boats or vessels shall be bound to moor them when not actually afloat at the place or places mentioned in such licence.

16. All unlicensed vessels and boats shall be liable to seizure and confiscation; and all other vessels and boats moored at any place not mentioned in the licence shall be liable to detention until the owner thereof shall have paid a fine of not less than 20*s.*, nor more than 5*l.*

17. All persons removing or assisting to remove any apprenticed labourer from the Colony in any boat or vessel, without a passport from the Governor, shall be liable to a penalty of 50*l.*, or to imprisonment for any time not exceeding one month.

Cap. VIII.

On the Dissolution of the Apprenticeship by Contract or Appraisement.

1. Subject to the regulations hereinafter made, any person being the employer of any apprenticed labourer in the said Island of Mauritius may by his or her last will, or by deed under his or her hand or seal, at his or her pleasure, discharge any such apprenticed labourer, so far as relates to the interest of every such testator or grantor; and every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the perpetual discharge of any such apprenticed labourer: provided nevertheless, that no person having a partial or temporary interest in any apprenticed labourer may to the extent of such interest effect his or her discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such apprenticed labourer shall consent, or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

2. And in order to prevent the fraudulent discharge of apprenticed labourers, incompetent from age or disease to earn their own living, it is further ordered, that in case any such deed of discharge shall be executed gratuitously and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the special justice for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice that such apprenticed labourer is under the age of 14 years or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty in the penal sum of 50*l.*, with a condition thereunder written for the defeasance thereof if such apprenticed labourer shall be properly fed, clothed and maintained until the time when the term of apprenticeship would have expired if such discharge had not been made; and no such gratuitous discharge shall be valid and effectual in the law until such bond as aforesaid shall be duly executed.

3. Provided nevertheless, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator the apprenticed labourer so discharged shall be under the age of 14 years or above the age of 50 years, or labouring

labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to, and chargeable with, the maintenance of such apprenticed labourer, as fully as if the said testator had, in his or her lifetime, executed such bond as aforesaid.

4. And to prevent ignorant apprenticed labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is further ordered and declared, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in the said Colony, to contract with such apprenticed labourer, through the agency of any such special justice as aforesaid, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge of the said apprenticed labourer, at a price to be agreed upon between the said employer and the said special justice respectively; and in case of any such contract, it shall be the duty of the said special justice, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge has good right and title in the law, and is competent to effect the same; and it shall also be the duty of the said special justice, without fee or reward, to prepare, in every such case, the proper deed of discharge, which shall in all cases be executed in the presence of and attested by the said special justice, or some proper person to be especially appointed by him to be such witness thereto; and every such deed being so executed, shall by such special justice be enrolled in the Supreme Court of Civil Justice in and for the said Colony of Mauritius within one calendar month next after the date and execution thereof; and in case any such deed shall not be so enrolled by the said special justice within the said period of one calendar month, the said special justice shall incur and be liable to the payment of a fine of not less than 10*l.* nor more than 50*l.*

5. And to provide for the discharge of apprenticed labourers desiring to obtain the same by purchase, in cases where the employers of such apprenticed labourers may be unwilling or unable to contract for such discharge, it is hereby further ordered, that if the employer of any apprenticed labourer in the said Colony of Mauritius, or any person having any interest in any such apprenticed labourer, shall be unwilling to effect his or her discharge, or shall, by reason of any mortgage or settlement, or lease or charge upon, or interest in such apprenticed labourer being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprenticed labourer; or if the employer, or any other person having a charge upon or interest in any such apprenticed labourer shall be a minor, or a married woman, or idiot, or lunatic; or if the real employer of any such apprenticed labourer shall be absent from the said Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the said Colony, wherein the right to the service of such apprenticed labourer shall or may be in controversy; or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge, a greater sum of money than may appear to the said special justice to be the fair and just value thereof; then and in each and every of the cases aforesaid, the chief civil judge of the said Colony, on application to him for that purpose made by the said special justice, shall issue a summons under his hand and seal, requiring the employer of such apprenticed labourer to appear before him at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice in the public gazette of the said Colony of the time and place appointed for the purpose aforesaid, and in such notice all persons having or claiming to have any title or interest to or in the services of the apprenticed labourer proposed to be discharged, either in their own right or as the agents, guardians, attornies, trustees or representatives of any other person, shall be required to attend and prefer such claims.

6. At the time appointed for such meeting as aforesaid, the chief civil judge of the said Colony, in the presence of the said special justice, and also in the presence of the employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer, shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer, or other persons claiming any interest in the services of the apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by the said special justice, or in case it shall be made to appear to the said chief civil judge that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor, or a married woman, or idiot or lunatic, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is absent from the said Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice in such Colony wherein the right to the services of such apprenticed labourer is in controversy, then and in every such case the said chief civil judge shall require the special justice and the employer of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services for the remainder of such apprenticeship, and the said judge shall himself nominate an umpire between such appraisers; but if such employer, being duly summoned as aforesaid, shall fail to attend, or, attending, shall refuse or omit to nominate an appraiser, then the said judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

7. The appraisers so to be nominated as aforesaid shall be duly sworn by and before the said chief civil judge, to make a fair and impartial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged, and within seven days next after such

such their appointment such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to the said chief civil judge under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the Supreme Court of Civil Justice in and for the said Colony.

8. Provided nevertheless, that if it shall be made to appear to the said judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said judge to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall, in manner aforesaid, be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said judge in manner aforesaid, shall be to all intents and purposes binding and conclusive; provided that such second or any subsequent valuation may in like manner be set aside by any such judge on the grounds aforesaid, until a valuation is made not open to any such objection.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled.

10. Upon or within three calendar months next after the enrolment in the Supreme Court of Justice of the said Colony of any such valuation as aforesaid, it shall be lawful for any special justice as aforesaid of such Colony, out of any monies to be supplied to him for that purpose by the apprenticed labourer proposed to be discharged, to pay to the treasurer of the said Colony the appraised value of the services of such apprenticed labourer, taking a receipt in writing from such treasurer for every such payment; and the chief civil judge of the said Colony shall, upon application to him for that purpose made by the said special justice, make an order for the enrolment in the said Supreme Court of Justice of such receipt; and the said chief judge shall by such order further proceed to declare and adjudge, that the apprenticed labourer, by and on behalf of whom such money hath been paid, is discharged; and such apprenticed labourer shall thereupon be and be deemed, taken and reputed to be discharged, to all intents and purposes, from such apprenticeship.

11. The money to arise from the discharge of any apprenticed labourer by virtue of the proceedings before mentioned shall remain in the hands of the public treasurer of the said Colony, and shall bear interest at and after the rate of 5 *l.* per cent. per annum; and His Majesty's revenue in the said Colony shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest, or shall, in the discretion of such treasurer, be invested in the purchase, in his name, of any public funds or securities of Great Britain and Ireland; and the chief civil judge of the said Colony shall, and he is hereby authorized, upon application to him for that purpose made, to direct that the money in the hands of the said treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were entitled to the services of such discharged apprenticed labourers, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands, of what nature or kind soever, as such services were subject unto at such time of the discharge of such apprenticed labourer; and the said treasurer shall hold the said money, and the interest accruing thereupon, or the said public funds and dividends, subject to such order as such chief judge of the said Colony may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such principal money and interest shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

12. It shall and may be lawful for the chief civil judge of the said Colony to make and prescribe, and from time to time to revoke and alter, as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before him.

Cap. IX.

On the Removal of Prædial Apprenticed Labourers from one Plantation to another.

In every case in which, according to the provisions of the said Act of Parliament, the consent of the justice of the peace shall be necessary for the transfer of any apprenticed labourer from one plantation to another, every such transfer shall be given and attested in the Form annexed, marked with the letter (O.), and shall, within one month after the date thereof, be recorded in a book to be kept for that purpose by the special justice of the district to which such apprenticed labourer shall belong.

CAP. X.

On the Apprenticeship of Children.

Every indenture of apprenticeship to be made and entered into by any such special justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any apprenticed labourers shall be in the form annexed, marked with the letter (P.), and shall be kept and recorded in the office of the special justice for the district to which such apprenticed child may belong.

CAP. XI.

On the Alienation by Sale, Inheritance or Will, of the Services of Apprenticed Labourers.

The right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such and the same person or persons as, if the said Act had not been passed, would, by will or descent, as the case may be, have been entitled to such apprenticed labourer as his, her or their slave; and such right or interest shall pass and be transferable, *inter vivos*, in such manner and form, and under and by virtue of such deeds, instruments and conveyances, as slaves have hitherto been transferable and have passed in the said Colony.

Provided always, that no such apprenticed labourer shall be publicly or privately exhibited, or be liable or compelled to attend in person at the time or place of any sale or transfer of his or her services.

CAP. XII.

On the Relation in which the Apprenticed Labourers will stand towards the State.

No apprenticed labourer shall, during the continuance of his or her apprenticeship, be liable or competent to serve His Majesty in any civil office or in any military capacity within the said Colony, or to enjoy or exercise any political franchise therein.

Provided always, that nothing herein contained shall exempt any such apprenticed labourer from the obligation of rendering to His Majesty any service, civil or military, which, in case or in the prospect of any invasion, rebellion or any great public exigency, may by His Majesty, or by the Governor for the time being of the said Colony, or by any other lawful authority, be imposed upon him.

Provided also, that nothing herein contained extends or shall be construed to disqualify any such apprenticed labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person or persons, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

FORMS referred to in the foregoing ORDER in COUNCIL.

(A.)—WARRANT.

Mauritius, to wit. } To of District, and all other Officers of Police in the Colony of Mauritius.

Forasmuch as of , in the district aforesaid, apprenticed labourer, hath this day been charged before me, , one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said on, &c. at, &c. did, &c. These are therefore to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal the day of , in the year of our Lord .

(B.)—SUMMONS.

To of in the Colony of Mauritius.

Whereas a complaint on oath hath been preferred to me by of , that you the said did, on the day of in the year of our Lord [*here state the complaint in general terms*]. Now, I, , one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you the said to attend before me at in the of in the said Colony, at the hour of in the of the day

day of in this present year 18 , then and there to answer the matters of said complaint.

Given under my hand and seal this day of in the year of our Lord .

(C.)—SUMMONS.

To of in the Colony of Mauritius.

These are to require you to attend and be personally present at the hour of in the of the day of 18 , at in the of , then and there to be examined before me as a witness, touching and concerning the matters of a certain complaint depending before me on the behalf of against .

Given under my hand and seal this day of , in the year of our Lord .

(D.)—RECOGNIZANCE.

Mauritius, to wit. } *A. B.*, of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds; *C. D.*, of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds; *E. F.*, of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds. Upon condition that the said *A. B.* do personally appear before me, or any one of His Majesty's special justices of the peace in and for the Colony of Mauritius, on the day of at in the aforesaid, there to answer the complaint of , and do not depart without leave, then this recognizance to be void, or else to remain in full force.

Taken and acknowledged the day of 183 , before me, , one of His Majesty's special justices of the peace for the Colony of Mauritius.

(E.)—COMMITMENT.

Mauritius, to wit. } To Sergeant of Police, and all other Police Officers whom this may concern.

Whereas was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of Mauritius, on the complaint of , with, &c. And whereas, having thought proper to adjourn the hearing of such complaint for further inquiry, the said hath , although by me required, and does to find sureties for his personal appearance before me, or some other special justice of the peace, on the day of at to answer the premises. These are therefore, in His Majesty's name, to command you the said sergeant of police, and all other officers of police, safely to convey the said and to deliver him to the keeper of , requiring you the said keeper to receive and safely to keep the said , until he shall find sureties or otherwise be discharged by due course of law.

Given under my hand and seal this day of , in the year of our Lord .

(F.)—CONVICTION by one Special Justice of the Peace.

Mauritius, to wit. } In the day of

Be it remembered, that on the of , in the year of our Lord , at in the Colony of Mauritius, is convicted before me, , one of His Majesty's special justices of the peace for said Colony, for that he the said did, &c. And I, the said special justice, adjudge the said , for his said offence, to .

Given under my hand and seal the day and year first above mentioned.

(G.)—CONVICTION.

Mauritius, to wit. } In the day of

Be it remembered, that on the of , in the year of our Lord , at in the Colony of Mauritius, is convicted before us, of His Majesty's special justices of the peace in and for the Colony of Mauritius, in sessions assembled, for that he the said did ; and we the said special justices adjudge the said , for his said offence, to .

Given under our respective hands and seals, the day and year first above mentioned.

(H.)—COMMITMENT.

Whereas was this day brought before me the undersigned special justice of the peace in and for the Colony of Mauritius, on a complaint that he the said did, &c. ; and I the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a supreme court of criminal justice, do hereby commit the said to , there to be detained until discharged by due course of law. These are therefore, in His Majesty's name, to command you, , constable, and all other officers of police, safely to convey the said to the keeper of , requiring you the said keeper to receive and safely to keep the said until he be discharged by due course of law.

Given under my hand and seal, this day of , in the year of our Lord .

(I.)—WARRANT.

To .

Whereas on the day of , I did issue to of in the Colony of Mauritius, my summons, requiring to attend before me at in the of in the said Colony, at the hour of in the of the day of in this present year of , then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by against ; and whereas the service of the summons on the said hath been made to appear to me on the oath of one credible witness, and yet the said hath refused or neglected to appear at the time and place so appointed. Now you are hereby authorized and required to arrest the person of the said and to bring before me at the hour of in the of the day of , at in the of in the said Colony; and for so doing this shall be your warrant.

Given under my hand and seal, this day of , in the year of our Lord .

(K.)—COMMITMENT.

To , Constable.

Whereas having before me, as a witness upon a certain complaint depending before me on behalf of against , on this day of 183 , at in the of in the Colony of Mauritius, without lawful cause hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to , touching the subject of such hearing and inquiry. Now I do hereby authorize and require you to detain the said in in the of , there to remain until shall submit to touching the subject of such hearing and inquiry; and for so doing this shall be your warrant.

Given under my hand and seal, at this day of , in the year of our Lord .

(L.)—FORM of Declaration.

Form of the Declaration to be delivered by every Employer, specifying his intentions respecting the mode of maintaining his Apprenticed Labourers.

I, *A. B.*, , in the town [parish *or* district] of , in the Colony of Mauritius, do hereby declare my intention to be to maintain the apprenticed labourers em-

MAURITIUS.

Appendix (B.)

Order in Council. No. 16.

ployed by me, whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L. *M.* *N.* *O* *P.* *Q.*	By the cultivation of the ground to be by them appropriated for that purpose.
R. *S.* *T.*	By an allowance of provisions.
U. *V.* *W.* *X.* *Y.* *Z.*	Partly by an allowance of provisions, and partly by the cultivation of ground to be to them appropriated for that purpose.

(M.)—AWARD or Sentence.

Mauritius, to wit. } Whereas proof having been made to the satisfaction of the district sessions of special justices, held on the day of , at plantation , in district No. , in the Colony of Mauritius, that hath not paid to the sum of , being the amount stipulated to be paid by to , for work and labour done and performed, according to a contract bearing date the day of ; it is hereby awarded that the said do pay to the said the said sum of , free of all deductions whatsoever, within days after the date of this award, on pain, in default thereof, of a levy being made upon the property of the said .

Thus done and awarded, at , in the parish of , in the Colony aforesaid, this day of 183 .

(N.)—WARRANT of Execution.

Mauritius, to wit. } Whereas at the district sessions of special justices, held on the day of , at , in district No. , in the Colony of Mauritius, it was awarded that of should pay to the sum of free of all deductions whatsoever, within days after the date of that award, on pain, in default thereof, of a levy being made upon the property of the said ; and whereas the said hath not paid the said sum of to the said , although the time allowed for the payment thereof hath expired. These are, therefore, to command you to levy the said sum of by distress, and sale of the goods and chattels or other property of the said ; and it is hereby ordered and directed, the goods and chattels so to be distrained to be sold and disposed of within days after such levy, unless the said sum of , for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand and seal, this day of , in the year of our Lord .

(O.)—ACT of Transfer.

Mauritius, to wit. } Be it known that we of His Majesty's special justices of the peace in and for the Colony of Mauritius, having ascertained that the transfer of the hereinafter mentioned prædial apprenticed labourers, at present attached to plantation in the parish of , in the Colony aforesaid, belonging to , from said plantation to plantation , in the parish of in the said Colony, also belonging to , will not have the effect of separating any of the said attached prædial apprenticed labourers from his or her wife or husband, parent or children, or from any person or persons reputed to bear any such relation to him or her, and that such transfer will not probably be injurious to the health or welfare of said attached prædial apprenticed labourers; do hereby consent that the said , who is entitled to the services of said prædial apprenticed labourers, do transfer to said plantation the services of attached prædial apprenticed labourers. This act of transfer to be recorded in the colonial registrar's office within one month from the date hereof.

Given under our respective hands and seals, at , in the parish of , in the Colony aforesaid, this day of 183 .

(P.)—INDENTURE of Apprenticeship.

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Order in Council. No. 16.

This indenture, made the day of in the year of our Lord 183 , between *A. B.*, one of His Majesty's special justices of the peace in and for said Colony, for and on the behalf of *C. D.*, an infant aged years, of the quarter of in the said Colony, of the one part; and *E. F.* of in said Colony, of the other part. Whereas *E. F.* (the employer) hath agreed with the said *A. B.* (the special justice) to take the said *C. D.* (the apprentice) as his apprentice for the term of years, to be taught and instructed in the trade or business of , in consideration and subject to the terms and conditions hereinafter contained. Now this indenture witnesseth, that in pursuance of the said agreement and in virtue of the ordinance in this case made and provided, he the said *E. F.* (the employer), doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said *A. B.* (the special justice), in the manner following, that is to say: That he the said *E. F.* (the employer), shall and will during the term of years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed the said *C. D.* (the apprentice), in the trade or business of , and all and every the matters and things whatsoever incident or relating thereto; and also shall and will, during the said term, find and provide the said *C. D.* (the apprentice), with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony; and shall also allow to the said *C. D.* such reasonable time and opportunity for education and religious instruction, as shall be appointed or assigned by a special justice of the peace of the district in which the said *C. D.* shall reside. And in consideration of the covenants and agreements hereinbefore contained on the part of the said *E. F.* (the employer), he the said *A. B.* (the special justice), hath placed and bounden, and by these presents doth place and bind the said *C. D.* (the apprentice), as a apprenticed labourer, unto and with the said *E. F.* (the employer), for the said term or period of years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said *C. D.* (the apprentice), to and with the said *E. F.* (the employer), covenant, promise and declare that he the said *C. D.* (the apprentice) shall and will, during all and every part of the said term of years, truly and faithfully serve the said *E. F.* (the employer), as a apprenticed labourer in the said trade and business of , and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said , special justice as aforesaid, for and on behalf of the said *C. D.*, have hereunto set my hand and seal, and the said *E. F.* hath also set his hand and seal in my presence, at in the Colony aforesaid, the day and year first above written.

(signed) *C. C. G.*

No. 17.—

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No. 17.

ORDER in Council, 31 July 1835, declaring that adequate and satisfactory Provision hath been made in the Colonies of *Antigua, Bermuda, Bahamas, St. Christopher's, Dominica, Grenada, St. Lucia, Trinidad, Mauritius* and the *Cape of Good Hope*, for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the Abolition of Slavery.

AT the Court at St. James's, the 31st of July 1835.

Present,

The King's Most Excellent Majesty.

Lord President.	Viscount Howick.
Lord Chamberlain.	Lord Auckland.
Earl of Albemarle.	Lord Glenelg.
Lord John Russell.	Sir John Hobhouse, Bart.
Viscount Palmerston.	The Chancellor of the Exchequer.
Viscount Melbourne.	

Whereas by an Act of Parliament, made and passed in the 3d & 4th year of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, that from and after the

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the 1st day of August 1834, all persons who, in conformity with the laws now in force in the said Colonies respectively, shall on or before the 1st day of August 1834 have been duly registered as slaves in any such Colony, and who on the said 1st day of August 1834 shall be actually within any such Colony, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship, or any other deed or instrument for that purpose, become and be apprenticed labourers: And whereas by the said Act it is further enacted, that subject to the obligations imposed by the said Act, or to be imposed as therein mentioned, upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within any such British Colony as aforesaid, shall upon and from and after the said 1st day of August 1834 become and be, to all intents and purposes, freed and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834 slavery shall be and is thereby utterly and for ever abolished and declared unlawful throughout the British Colonies, plantations and possessions abroad: And whereas by the said Act it is provided that the Lords Commissioners of His Majesty's Treasury may raise the sum of 20,000,000*l.* sterling towards compensating the persons entitled to the services of the slaves to be manumitted and set free by virtue of the said Act, for the loss of such services.

And whereas in the said Act it is recited that various rules and regulations are or may be necessary for the purposes therein specified, and that such regulations could not without great inconvenience be made, except by the respective Governors, Councils and Assemblies, or other local Legislatures of the said respective Colonies, or by His Majesty with the advice of his Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; and it is therefore by the said Act enacted and declared that nothing in the said Act contained shall extend, or be construed to extend, to prevent the enactment, by the respective Governors, Councils and Assemblies, or by such other local Legislatures as aforesaid, or by His Majesty with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances or Orders in Council, as might be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect.

And whereas it is by the said Act further enacted, that no part of the said sum of 20,000,000*l.* sterling shall be applied or shall be applicable to the purposes therein aforesaid, for the benefit of any person entitled to the services of any slave in any of the Colonies therein aforesaid, unless an Order shall have been first made by His Majesty, with the advice of His Privy Council, declaring that adequate and satisfactory provision hath been made by law in such Colony for giving effect to the said Act, by such further and supplementary enactments as therein mentioned; nor unless a copy of such Order in Council, duly certified by one of the Clerks in ordinary of His Majesty's Privy Council, shall by the Lord President of the Council have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being, for their or his guidance or information; and every such Order shall be published three several times in the London Gazette, and shall be laid before both Houses of Parliament within six weeks next after the date thereof, if Parliament shall be then in session, and if not, within six weeks from the then next ensuing session of Parliament.

And whereas, in order to carry into effect the objects of the said recited Act, an Act hath been passed by the Governor, Council and Assembly of the Island of Antigua, intituled, "An Act for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.'" And an Act hath also been passed by the Governor, Council and Assembly of the Island of Bermuda, intituled, "An Act for the Abolition of Slavery in these Islands, in consideration of Compensation." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Bahama Islands, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;'" and also an Act, intituled, "An Act to provide for the payment of Salaries to certain Special Magistrates therein designated, and to repeal certain clauses or sections of an Act of the General Assembly, made and passed in the fourth year of His Majesty's reign, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, intituled, An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;'" and also an Act, intituled, "An Act to amend an Act of the General Assembly of these Islands, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, intituled, An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves.'" And certain Acts have also been passed by the Lieutenant-governor, Council and Assembly of the Island of St. Christopher, respectively intituled, "An Act for the Abolition of Slavery in this Island, and for the establishment of a system of Apprenticeship for a limited time, in lieu thereof;" "An Act for prescribing the Powers and Duties

Duties of Special Magistrates;" "An Act to divide Apprenticed Labourers into several Classes;" "An Act to provide for Apprenticed Labourers during the Term of their Apprenticeship;" "An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers within this Island;" "An Act for prescribing the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the Performance of the same;" "An Act to regulate the removal of Prædial Apprenticed Labourers from one Plantation to another, to establish certain Rules to govern the Sale of the Services of all classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the descent of the same in cases of Intestacy;" "An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same;" "An Act to punish Apprenticed Labourers for Offences against the public welfare;" and "An Act to regulate the dissolution of Apprenticeship by the voluntary act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship;" and also an Act intituled "An Act to extend to the Island of Anguilla the several Acts passed by the Island of St. Christopher pursuant to an Act of Parliament made in the 3d & 4th of William 4th, intituled 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,' except as hereinafter provided." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Island of Dominica, intituled "An Act for the Abolition of Slavery in this Island in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves." And an Act hath also been passed by the Lieutenant-governor, Council and Assembly of the Island of Grenada, intituled "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d & 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies;" and also an Act intituled "An Act to amend an Act intituled 'An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d & 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies, and to make further provision for the purposes in the said Act mentioned.'" And three several Orders have also been made by His Majesty in Council for carrying into effect, in the respective Colonies of St. Lucia, Trinidad and Mauritius, the provisions of the said recited Act of Parliament. And an Ordinance hath also been made and passed by the Governor and Legislative Council of the Cape of Good Hope, intituled "An Ordinance for giving due effect to the provisions of an Act of Parliament passed in the 3d & 4th year of the reign of His Majesty King William the Fourth, intituled 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves.'"

And whereas it is considered by His Majesty in Council, that adequate and satisfactory provision hath been made by law, in the respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein mentioned, according to the true intent and meaning of the said Act.

His Majesty is therefore pleased, by and with the advice of His Privy Council, to declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the several and respective Islands and Colonies of Antigua, Bermuda, Bahamas, St. Christopher, Dominica, Grenada, St. Lucia, Trinidad, Mauritius and the Cape of Good Hope, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned. And the Right honourable the Marquis of Lansdowne, the President of His Majesty's Privy Council, and the Right honourable Lord Glenelg, one of His Majesty's principal Secretaries of State, are to give the necessary directions herein, as to them may respectively appertain.

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PRESENTED TO PARLIAMENT, BY

HIS MAJESTY'S COMMAND,

IN EXPLANATION OF THE MEASURES ADOPTED BY HIS MAJESTY'S GOVERNMENT,

FOR GIVING EFFECT TO THE ACT

FOR THE

ABOLITION OF SLAVERY

THROUGHOUT THE BRITISH COLONIES.

PART II.—(*continued.*)

(*In Continuation of the Papers presented this Session, Nos.* 177 *and* 278.–I.)

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VIRGIN ISLANDS.
DOMINICA.
ST. VINCENT.
GRENADA.
TOBAGO.
TRINIDAD.
ST. LUCIA.
HONDURAS.
BAHAMAS.
GRAND CAYMANAS.
BERMUDA.
CAPE OF GOOD HOPE.

1833—1835.

Ordered, by The House of Commons, *to be Printed,*
10 *June* 1835.

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PAPERS

RELATING TO THE

ABOLITION OF SLAVERY.

ANTIGUA.

—No. 145.—

ANTIGUA.
No. 145.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 2 July 1833.

IN consequence of your circular Despatch of the 20th of May last, relative to measures now under consideration of the Imperial Parliament for the extinction of Slavery, I convened His Majesty's Privy Council, of whose proceedings, under date the 1st instant, a copy is enclosed.

1 July 1833.

Soon after my arrival in Antigua, having issued a notice (Enclosure No. 2), I consider it inadvisable, for the present, to renew a similar appeal to the slave population, from a dread of weakening, by too frequent repetition, the effects of publications of that nature; but my constant and most vigilant attention will be directed towards the adoption of whatever precautions circumstances may demand, in case of the manifestation of excitement by any class of this community.

23 May 1833.

With respect, however, to the planters, although I have every reason to be satisfied with the reception they have afforded me, I beg permission to observe, that a governor's principal means of acquiring influence with those gentlemen formerly arose from that description of personal intercourse which, in regard to the Leeward Islands and Dominica, under the recent arrangements of His Majesty's Government, has necessarily ceased.

I am, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure 1, in No. 145.

Enclosure 1, in No. 145.

ANTIGUA.—At a Meeting of the PRIVY COUNCIL, held by Special Summons, at Government House, on Monday, the 1st July 1833.

Present,

His Excellency Sir Evan John Murray M'Gregor.

The Honourable Samuel Warner.	The Honourable Richard W. Nanton.
„ William Byam.	„ Francis F. Brown.
„ Meade H. Daniell.	„ George S. Martin.

(Extract.)

Printed in Parl. Papers, 16 April 1835, No. 177, p. 3.

His Excellency directs the Secretary to read a circular Despatch of the 20th May last, from the Right honourable E. G. Stanley, Secretary of State for the Colonies.

The opinion of the Board is requested as to the propriety of adopting precautionary measures for preserving order and subordination in the Colony in the anticipation of any excitement arising in consequence of these propositions. Several observations are made on this subject, the result of which appears to be as follows:

That the Board do not at present apprehend any immediate excitement to such an extent as to endanger the peace of the community. That with regard to the slaves, their present feeling appeared to be one of expectation of some plan being in progress for their freedom; of the nature of which plan they were at this moment wholly ignorant: that if they were made acquainted with the plan now in contemplation, their feeling would probably be changed to that of general disappointment.

 That

ANTIGUA.

That it might be desirable to guard against the effects of such disappointment, by stationing a small detachment of regular troops in such a position as to afford a facility of moving them to any point where their presence might be deemed useful; and the Board suggest that Monks Hill would afford in itself the most convenient post for that purpose.

(A true Extract.)

(signed) *Thomas Lane*, Secretary.

Enclosure 2, in No. 145.

Enclosure 2, in No. 145.

NOTICE.—BY HIS EXCELLENCY THE GOVERNOR.

WHEREAS there is the strongest reason to believe that evil-minded persons have been actively spreading among the negroes malicious reports that certain benefits granted to them by The King are withheld by those under whose charge and protection they are placed; and that the Governor is empowered by His Majesty to grant emancipation to the slave population, which reports are calculated to unsettle their minds and be equally injurious to the slave and the owner—It is hereby declared, that such reports are false and utterly without foundation. And moreover that whatever advantages His Majesty may at any future period be pleased, through His paternal care, to grant to the slaves, it will be incumbent on the Governor to make known to them the nature and extent of such concessions, and to ensure their immediate enjoyment thereof.

If, in disregard of this solemn assurance, any sedition or insubordination shall be exhibited, his Excellency earnestly warns the negro population, that the most prompt and irresistible means will be used to quell the same, and to chastise, in the severest manner, the ring-leaders, whose disobedience can but tend to postpone indulgences which it might be the gracious wish of His Majesty the King eventually to bestow.

And whereas several appeals have been addressed to His Excellency by slaves to the great inconvenience of distant parties and witnesses—It is desired to be understood, and to be carefully explained to them, that the Governor will listen to no complaint, unless satisfied that the complainant has previously applied to the nearest Justice of the Peace. And those desirous of submitting appeals to the Governor are hereby further cautioned, that while the strictest justice will be done to any slave who may have been wronged or injured, the applicants will find an equal determination on his Excellency's part, to cause the infliction of such punishment as may be due to persons guilty of wilful misrepresentations whenever the charges thus preferred shall prove unfounded, frivolous or vexatious.

And it is hereby further directed, that whenever the slaves of any estate conceive they have just cause of complaint, they are on no account to presume to make the same in gangs or large bodies, but are to depute two, or at the utmost three of their number, who may proceed to lay the same before the magistrate or magistrates of the division in which they reside. And only in the event of a failure of redress in such quarter are they, in like manner, to represent their grievances to the Governor.

Government House, St. John's, Antigua,
23 May, 1833.

By his Excellency's Command,
C. Taylor, Priv. Secretary.

No. 146.

—No. 146.—

EXTRACT of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*, dated Government House, Antigua, 18 July 1833.

ON the 17th, for which day the Legislature had been summoned, I had the honour of receiving your circular Despatch of the 13th June, together with the Resolutions of The House of Commons therein referred to; and that communication seemed to me so important, and calculated to produce such conspicuously salutary effects, that I requested the gentlemen of the Council to meet in Privy Council, at Government-House that morning, before entering on the exercise of their legislative functions.

17 July 1833.

For what passed on that occasion, as well as subsequently, between the Council, Assembly and myself, I beg leave to refer to Enclosures Nos. 3, 5 and 6, wherein it will be found that these bodies have pledged themselves respectively to meet further communications on this subject "with respectful and dispassionate consideration," and to "approach the question with dispassionate seriousness."

It is truly satisfactory to me to add the assurance that, in this Island the influential colonists evince every disposition to propitiate the British Nation, under existing circumstances, in the most conciliatory spirit, while the labouring classes await the anticipated change in their condition without the slightest indication of impatience.

Enclosure in No. 146.

No. 3.

ANTIGUA.—At a Meeting of the PRIVY COUNCIL, held by Special Summons, at Government House, on the 17th day of July 1833.

Present,

His Excellency Sir Evan J. Murray M'Gregor, Bart.

The Honourable Samuel Warner.	The Honourable Richard W. Nanton.
„ Meade H. Daniell.	„ Francis F. Brown.
„ William Byam.	

(Extract.)

Read circular Despatch of the 13th June 1833, from the Right honourable Secretary of State for the Colonies, on the projected extinction of Slavery, with the Resolutions of The House of Commons thereon.

Printed in Parl. Papers, 16 April 1835, No. 177, page 5.

It is the unanimous opinion of the Board, that a communication so important and interesting as the one just read, should be imparted without loss of time to the local Legislature, which has been convened already for other purposes this day. It is accordingly ordered, that a copy thereof be forwarded forthwith to both Houses, with a message from his Excellency.

(A true Extract from the Minutes of the Privy Council of Antigua.)

(signed) *Thos Lane*, Secretary.

No 4.

(Copy.) GOVERNMENT HOUSE.

Honourable Gentlemen, Antigua, 17th July 1833.

AN important communication received this day from the Right honourable the Secretary of State for the Colonies has just been laid before His Majesty's Privy Council, which it is the opinion of that Board should be imparted without loss of time to both Houses. In inclosing it for this purpose, I must not omit the expression of my anxious hope and confident anticipation, that a Despatch so interesting in its results, may be met in the same cordial spirit of conciliation under which it has been dictated.

13 June 1833, and one Enclosure.

I have the honour, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

To His Honour the President of the Council, and
His Honour the Speaker of the Assembly.

No. 5.

(Copy.)

Sir, Council Chamber, Antigua, 17th July 1833.

THIS Board acknowledges with thanks the early communication your Excellency has been pleased to make to them of the important Despatch of the Right honourable Secretary of State for the Colonies, under date the 13th June last, relative to the projected plan of His Majesty's Ministers, for the change in the condition of the slave population in these Colonies; and I beg to inform your Excellency, that the members of this Board are prepared to meet the further communications on this subject with respectful and dispassionate consideration, whenever it shall please His Majesty's Government to bring them before the local Legislature.

I have the honour, &c.

(signed) *Samuel Warner*, President of the Council.

To His Excellency Sir Evan J. Murray M'Gregor, Bart. C. B. K. C. H.
Governor and Commander in Chief, &c. &c. &c.

(A true copy.)

(signed) *Thos Lane*, Secretary.

No. 6.

(Copy.)

Sir, Saint John's, Antigua, 17th July 1833.

I HAVE received the commands of the House of Assembly respectfully to acknowledge the receipt of your Excellency's communication of this day's date, submitting the circular Despatch of the Secretary of State for the Colonies of the 13th June last, and at the same time to assure your Excellency, that the House will, in due time, approach the question to which it refers, with the dispassionate seriousness due to the immense interests at stake.

I have the honour, &c.

(signed) *Nicholas Nugent*, Speaker.

To His Excellency Sir Evan J. Murray M'Gregor, Bart. C. B. K. C. H.
Governor and Commander in Chief, &c. &c. &c.

(A true copy.)

(signed) *N. Humphrey*, Clerk of the Assembly.

(True copies.)

E. J. Murray M'Gregor, Governor.

ANTIGUA.

No. 147.

--No. 147.—

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 3 October 1833.

HAVING deemed it advisable to communicate the Bill for the Abolition of Slavery, as amended by The House of Lords, to His Majesty's Privy Council of Antigua; I have the honour of laying before you the proceedings of the Board thereon, as well as in regard to certain Resolutions, adopted at a recent public meeting in St. John's, and now under the consideration of the Legislative Council and Assembly.

1 October 1833.

Without expressing any "opinion on the tenor or conditions contained in the said Resolutions," the Board represent, "that the general feeling of the proprietors in this colony is, that they would decidedly prefer immediate emancipation to the system of apprenticeship."

These sentiments rest, as I am assured, on the confidence generally reposed in the superior intelligence and good disposition of the labouring population of this island, with whose education and religious instruction every pains appear to be taken by the regular clergy and missionaries, liberally countenanced by the gentlemen of the country.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 147.

Enclosure in No. 147.

ANTIGUA.—At a Meeting of the Members of the PRIVY COUNCIL, held by special Summons, at Government House, on Tuesday, the 1st October 1833.

Present,

His Excellency Sir Evan J. Murray M'Gregor.

The Honourable Samuel Warner.	The Honourable Francis F. Brown.
„ Meade H. Daniell.	„ George S. Martin.
„ Richard W. Nanton.	

His Excellency the Governor lays before the Board the Slavery Abolition Bill, which he informs them had passed the Lords' House of Parliament, and which he had received by the last packet.

The Bill is read.

The Board is of opinion, that the Attorney-General for this Colony should be requested to prepare a form of public notice or proclamation to be issued by the Executive so soon as this Bill shall have been officially transmitted for the information of the local Legislature; that the object of such notice should be, to make the slave population fully acquainted with the new position in which they are about to be placed, and to that end, that it should contain in plain terms the heads of the Bill, as far as relates to their condition; that it should also inform them of the precise period when the Bill is to come into operation, and admonish them of the necessity for their own sakes of preserving in the meantime perfect order and submission.

It is also the opinion of the Board that the law officers of the Crown for this Colony be requested to engage immediately in the inquiry by what enactments the existing laws may be most conveniently adjusted to a state of society in which slavery will be unknown.

His Excellency calls the attention of the Board to certain Resolutions entered into at a public meeting in this Island on the 11th September, and which Resolutions he understands are now in the form of a memorial before the two Houses of Legislature. The Board hereupon deem it their duty to represent to his Excellency that the general feeling of the proprietors in this Colony is, that they would decidedly prefer immediate emancipation to the system of apprenticeship; the Board, however, expresses no opinion on the tenor or conditions contained in the said Resolutions. They are as follows:

ANTIGUA.—At a Meeting of the PROPRIETORS of ESTATES and others interested in Slave property, held this 11th day of September 1833, at the Court House in the Town of St. John, in this Island, to take into consideration the state of proceedings having for their object the Abolition of Slavery throughout the British Colonies,

The Honourable John Duncombe Taylor in the Chair,

It was resolved,

1st. That this Meeting is decidedly of opinion that a temporising system in this Colony would only prolong and increase present difficulties; that a period of apprenticeship, as proposed by Mr. Secretary Stanley in his Bill now before Parliament, would be one of most anxious irritation to all parties, tending to the moral degradation of the negro, and the grievous

grievous oppression of the present slave owner, and that any proportion of compensation which might be allotted would be rendered abortive by the expensive and complicated machinery of Commissioners, &c. for its distribution.

2d. That if slavery be a crime, of which it is expedient that the British Nation should absolve itself, every principle of justice demands that the British Nation should provide full compensation, or the most ample indemnity, before it can interfere with the legally established system of its Colonists, or have any right to claim their assistance in carrying into effect any measure of experiment with property so repeatedly sanctioned by the Imperial Legislature; and that at whatever period the British Parliament may determine to proclaim freedom to the slaves in these Colonies, the relative obligations of the owner of these slaves will cease, and there can exist no constitutional power or authority to force upon the Colonists the necessity of employing labourers over whose conduct they would have no control.

3d. That this Meeting is fully impressed with the great and peculiar difficulties which consequently surround every attempt to abolish slavery in the British Colonies, and is equally sensible that the integrity of the Mother Country, the welfare of the slaves, and the safety of the Colonies, require that the destructive agitation of the question be quickly set at rest.

4th. That, urged by these important considerations, the members of this Meeting, submitting their objections, founded on long experience and local knowledge, to their earnest desire to repel the charge of upholding slavery in this Colony, and to afford British philanthropy a definite limit for its exercise, are willing, at the earliest possible period, to accede to the entire and unconditional emancipation of their slaves in this Island, and to use every influence in forwarding the passing of such Acts by the Colonial Legislature as may be requisite to provide for the consequent change of circumstances, upon there being absolutely vested in Government securities for their use the sum of thirty pounds sterling per negro, and upon an exemption to this Island from the payment of the 4 ½ per cent. Duties.

5th. That the Meeting comes to this conclusion without reference or meaning to imply the fitness of its application to the circumstances of any other Colony.

6th. That these Resolutions be inserted in a book (to be kept at the store of William Macfarlane, Esquire), and that all parties interested be invited to sanction them, and that a copy be presented to the Colonial Secretary by Anthony Brown, Esquire, the Island agent, for the consideration of His Majesty's Ministers.

7th. That Petitions, founded on and embodying these Resolutions, be presented to both Houses of Legislature, praying their concurrence and adoption of such measures to attain the object of this Meeting as may seem best calculated to preserve the interests of the slave owners, and secure the welfare of the slave.

8th. That the Honourable John Duncombe Taylor, the Honourable Samuel Otto Bayer, and Francis Shand, Esquire, be appointed a committee to frame such Petitions, and be authorized to sign and obtain the presentation of the same as the Petitions of this Meeting.

(A true copy.)

Thos Lane, Sec.

— No. 148. —

No. 148.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 17 October 1833.

A MEETING of the Legislature having been fixed for this day, I have the honour to report, that copies of your circular Despatch of the 5th of September last have been presented to the Council and Assembly; that His Majesty's Proclamation accompanying it has been placarded in St. John's, and circulated throughout the Island; and that copies of the Act for the Abolition of Slavery have been distributed to the principal inhabitants.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 149. —

No. 149.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 2 November 1833.

FROM the enclosed extract of this day's Minutes of His Majesty's Privy Council of Antigua, it will be observed, that the Attorney-General is requested to draw up a Bill, which the Board, in anticipation of the change in the condition of the labouring classes, to be effected on the 1st of August next, have agreed to introduce in their legislative capacity, for the purpose of modifying in this Island the present system of slave treatment.

2 November 1833.

ANTIGUA.

Under the impression of its not proving unacceptable to you, it is an object of my anxious solicitude that the right of inflicting corporal punishment upon the slave population should, by an Act of the Legislature, henceforward be transferred from their owners, the proprietors or managers of estates, &c. to the colonial magistracy.

The conciliatory disposition evinced by the Council, in favourably entertaining my suggestion, is highly satisfactory, and it will afford me sincere pleasure hereafter to be enabled to report, that the Assembly have assented to the proposed enactment.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 149.

Enclosure in No. 149.

EXTRACT of Proceedings of the PRIVY COUNCIL of Antigua, 2d November 1833.

Present,

His Excellency the Governor.

The Honourable Samuel Warner.	The Honourable George S. Martin.
„ Meade H. Daniell.	„ William Lee.
„ Richard W. Nanton.	

ALTHOUGH the Governor will abstain from recommending a measure of this nature to the notice of the Legislative Council and Assembly, especially because its effects would prove infinitely more salutary if originating with and voluntarily emanating from those bodies, his Excellency deems it an act of duty to solicit the attention of His Majesty's Privy Council to the propriety and policy of endeavouring to anticipate the change in the position of the labouring classes of this community, destined to occur on the 1st of August next, by the adoption of such modifications in the present system of slave punishment and general treatment, as the experience of the honourable members may lead them to consider best adapted to local circumstances, during the intervening period of time.

The Board is decidedly of opinion that it would be wise to make such arrangements in the intermediate time between this and the 1st August, as would render the change in the condition of the slaves as little striking as possible; and thus lessen the excitement that may then naturally be expected to take place. An enactment to the effect proposed by the Governor is of course liable to opposition in the Assembly; but the Board embark readily in the proposition of his Excellency; and it is agreed that the Attorney-General (now a member of this Board) do draw up a Bill which shall fully accomplish this object.

(A true Extract.)

(signed) *Thomas Lane*, Clerk of Council.

No. 150.

— No. 150. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 14 December 1833.

I HAVE had the honour to receive your Despatch of the 2d November last, enclosing an extract of the Minutes of His Majesty's Privy Council of Antigua, by which it appears that the Attorney-General is requested to draw up a Bill, which the Board, in anticipation of the change in the condition of the labouring classes, to be effected on the 1st August next, have agreed to introduce in their legislative capacity, for the purpose of modifying, in the island of Antigua, the present system of slave treatment.

With respect to the wish which you have expressed, that the right of inflicting corporal punishment upon the slave population should by an Act of the Legislature henceforward be transferred from their owners, the proprietors or managers of estates, &c. to the colonial magistracy, I have to observe, that if the Act to which you refer be intended to be in operation only till the 1st August, there can be no objections to it, but that, on the contrary, it appears a salutary and wise provision. It must, however, be borne in mind, that if it be intended under such an Act to continue, during a system of apprenticeship, the power of interference between master and apprentice to the colonial magistracy, it would be repugnant to the express enactment of the British statute, which vests that power exclusively in the special (though not only in the stipendiary), magistrates. If, on the other hand, on the 1st of August next unrestricted freedom be introduced, then this objection falls to the ground.

I have, &c.

(signed) *E. G. Stanley.*

— No. 151. —

ANTIGUA.

No. 151.

COPY of a DESPATCH from Governor Sir *E. J. M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 4 November 1833.

IT has been already represented by His Majesty's Privy Council, as stated in my letter of the 3d ultimo, "that the general feeling of the proprietors in this colony is, that they would decidedly prefer immediate emancipation to the system of apprenticeship."

Of that preference, having had under consideration, comformably with my Report of the 17th ultimo, the Act of the 28th of August last, together with your circular Despatch of the 5th of September, the Legislative Council and House of Assembly, through the medium of a joint letter to me, from their Honours the President and Speaker, herewith forwarded, unanimously concur in announcing their adoption.

2 November 1833.

1. 2. 3. 4.

The sentiments of the clergy, agreeably to the statement of the Reverend the Rector of Saint John's, as well as of the senior Wesleyan and Moravian missionaries, will be found likewise in accordance with those of the Privy Council and Legislature upon this interesting subject.

In the Address of the President and Speaker the utmost anxiety is evinced speedily to ascertain in how far the Mother Country may be inclined to countenance and promote their object of accomplishing at once, under the 23d clause of the Act of Abolition, the views of Parliament, by admitting the slave population, without the intervention of apprenticeship, to the enjoyment, on the 1st of August next, of unrestricted freedom.

Their honours have explained, so fully and with so much ability, the impression of the Local Legislature, that there are two points only on which, perhaps, observations of mine may not quite be misplaced.

The actual diminution of regular troops, to which they make allusion, does not exceed a deduction of 20 men from the ordinary number of the garrison, and arises solely from the readiness, with which his Excellency, Sir Lionel Smith, has been pleased to meet requests for strengthening detachments in St. Christophers, Montserrat, Nevis and the Virgin Islands.

Previously to the next 1st of August it may be advisable, in any case, to solicit a reinforcement for Antigua, not so much on account of the free inhabitants, whom the King's troops present and the militia are sufficient to protect, as for the sake of the newly liberated slaves themselves, in order to overawe them by a show of force, and thereby to guard against the consequences of excesses, in which they might otherwise be tempted to indulge, on the first introduction of a great change in the nature of their social condition. At the same time it may be further deserving of attention, whether such a reinforcement, which, should absolute freedom be conceded, would seem but temporarily requisite, during a short season of excitement, may not be rendered indispensable throughout the whole term of apprenticeship, if His Majesty's Government, on whose undeviating support the negroes have been accustomed implicitly to rely, shall come to be placed, in relation to them, in the totally opposite light of forcibly prolonging their restraint in that intermediate stage of servitude, contrary to the earnest intercession and recommendation of their masters.

The other topic that it may be right in me to notice, is a proposal for the relinquishment, by the Crown, of the 4½ per cent. Duty, producing in this Island, on an average for the last ten years, a revenue of about 12,000*l.* sterling annually.

If it shall be consistent with the policy of His Majesty's ministers to accede to this proposition, and thereby to accelerate the attainment of liberty by the Antigua negroes, on account of their alleged superior advancement in civilization and instruction, the expediency is submitted of imposing, as a condition, on the Council and Assembly, by whom this boon is asked on behalf of the labouring classes, the obligation of providing an adequate income, for a circuit judge or judges. This stipulation is suggested in reference to the desire already intimated by the King's Government for the formation in this Colony of a general Legislature for the Leeward Islands, the benefits of which, as well as of the removal of the diversity in their several constitutions, may prove more immediately conspicuous, observing that, instead of being, as now, confined in separate Colonies, the negro population, by virtue of the privilege of proceeding in search of employment from one Island to another, will, at no distant period, become, as it were, common to the whole.

ANTIGUA.

Having formerly borne testimony, as well to the orderly demeanor of the Antigua slaves, as to the liberality of their owners in regard to them, it is due from me to both anxiously to hope that it may be compatible with the arrangements of The King's Government so to receive the present application as at once to obviate any revulsion of feeling on the part of the labouring classes, and to encourage the respectful confidence that prompts the local Legislature for relief from difficulties, described as depressing the general interests of the Colony, earnestly to court the protecting influence of the ministers of the Crown.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 151.

Enclosure in No. 151.

(A.)

Sir, Antigua, November 2, 1833.

The Board of Council and House of Assembly of this Island embrace the earliest opportunity afforded them of acknowledging the communication of your Excellency of the 16th instant, accompanying the circular Despatch of His Majesty's Secretary of State for the Colonies of the 5th September last, together with printed copies of the all-important Act (3 & 4 Will. 4, ch. 73), which has recently passed the Imperial Parliament for the Abolition of Slavery, as well as a Proclamation issued by His Majesty in relation thereto.

The crisis at which we are thus arrived is so unexampled, so vitally important, and absorbs so exclusively the solicitor's attention of the Board of Council and House of Assembly, and at the same time involves to so fearful an extent the great interest confided to their vigilant charge, that they feel no apology can possibly be required of them for expressing to your Excellency the sentiments with which they are impressed in a manner the most frank and unreserved. They will waive, as totally irrelevant to the existing state of things, and as altogether unprofitable in their results, all discussions regarding Negro Slavery, or the expediency of its immediate extinction throughout the British Dominions: nor will they put forth against the strong arm of power any unavailing pretensions founded on an infringement of their chartered rights and legislative privileges. They are even willing to admit that a measure of such incalculable magnitude as the Abolition of Negro Slavery, upheld as it has been for ages by so many laws of the parent State, and interwoven as it is in the great commercial machinery of the Empire, could not properly or effectively have been brought about by any mere local colonial authority. The course of public events, and the heedless, but uncontrollable violence of public opinion in Great Britain had indeed gradually prepared our minds for this mighty change; but we must candidly say, that the interposition of a probationary stage, clogged with such exceedingly onerous terms and provisions as are limited and defined in the Act of Parliament, has not only surprised and grieved us, but fills our minds with no little consternation and dismay.

Without fatiguing your Excellency with an attempt to enumerate the various objections to the details of this Act, and which may in part be collected from other sources of public information, we deem it advisable merely to state our settled conviction, that the apprenticeship stage must disappoint the hopes and reasonable expectations of philanthropists, and can be productive only of a constant sense of humiliation and disquietude to all parties concerned; tending to substitute for the kindly feelings, mutual dependence, and the interchange of good offices, which, whatever may be alleged to the contrary, do now in a great majority of instances so happily prevail, a state of constant irritation, discontent and strife, leaving the negroes in all human probability in a condition more unfit for the enjoyment of a rational freedom, than at the commencement of it; subjecting, moreover, the master to the obligation of maintaining labourers, over whose conduct he can have no personal influence or control; superseding the usual motives which stimulate to industrious labour in the case of freemen, and yet doing away with that necessary sense of an instantly impending coercion in duties designed to be of an involuntary and compulsory nature.

Without entering more fully into the painful difficulties which beset the present enactments, we would not however omit to remark, that the diminished fertility of our soil in many districts, and the uncertainty of our climate every where, render our supplies of food for our labouring population at all times precarious, notwithstanding the most industrious cultivation. The provisions reaped, seldom supply more than half of our consumption, even under the present system of coercion; it is therefore evident that the restricted labour of 45 hours per week proposed under the scheme of apprenticeship would neither secure food, nor yield a sufficient return of produce to the proprietor to enable him to procure it, unless, indeed, his means should in some other way be simultaneously and permanently invigorated, so as to admit of his paying hire for the remaining 15 hours. Similar remarks might reasonably be pressed as to the obstruction created to the seasonably taking off the crops in a country where we necessarily depend on the uncertain and fitful operation of windmills. The distinction, moreover, regarding the time of servitude of the prædial and non-prædial classes, is, we think, unfortunate, and calculated to excite a jealousy, not unnatural on the part of those who constitute in truth the most useful and meritorious class, and to confirm those existing prejudices against mere rustic occupation, as being more degrading, which it is of such infinite importance to counteract.

But

ANTIGUA.

But as regards the Island of Antigua, we confess, Sir, we are strongly inclined to look at once to a better state of things. Actuated, as we trust we are, by feelings not less benevolent than those of our fellow subjects in Europe, and desirous to evince the most loyal concurrence in the ulterior objects of the Imperial Legislature, we are exceedingly solicitous at this early period, when only the short interval of nine months can elapse before the time assigned for the commenced operation of the Act before us, to ascertain, through the good offices of your Excellency, how far we might hope for the countenance and support of His Majesty's Government (profiting by the more enlarged interpretation of the twenty-third clause of the Act) in carrying into effect the specific objects of the statute as set forth in the title thereof, without the intervention of any term of apprenticeship, to the consequences of which we confess we do look with an anxiety much more intense. Thus might we hope to effect for the Island of Antigua at least, that consummation so devoutly to be prayed for, a complete and final settlement of this most harassing and embittering question; and that without the necessity of a measure entailing such great and enduring expense, and so unrecognized by the British Constitution as the appointment of stipendiary magistrates from Europe, unacquainted as they must be with the peculiar habits, customs and character of the people, and ignorant of the municipal institutions by which they have hitherto been governed; and also by only one stage of excitement, instead of the three most unnecessarily, as we think, assigned for us by the Act of Parliament. As this Act contemplates the successive advancement of different portions of the mass of slaves to an unqualified freedom in each Colony; so it is not very apparent why each Colony might not successively arrive at a general state of freedom according to the social improvement which each may appear to have attained. We do not, we confess, discover any sufficient reason referable to this Island, why an unrestricted emancipation should not answer as well in One thousand eight hundred and Thirty-four as in One thousand eight hundred and Thirty-eight or forty; and we are perfectly satisfied, that no possible future efforts during so short a term of years can bring the slaves of most of the other Colonies to the same state of religious and social improvement as that to which those of Antigua have already reached.

It cannot have escaped the observation of your Excellency, even during your short residence among us, that there are circumstances in the condition of this Colony which invite more to such a favourable change than perhaps in any other; among these may be suggested the all-important and paramount one of an utter dependence, from peculiarity of climate and the absence of unoccupied lands, except those of absolute sterility, of the labourer on the proprietor and capitalist for the means of procuring food; and that a large portion of the population, whether bond or free, could not hope for the means of subsistence except by some laborious occupation in one of those frequent periods of long drought especially to which we are almost annually subject.

Moreover it has been the policy of our Island, placing no impediment at any time in the way of the most perfect religious toleration and security, to civilize, instruct and improve the negro race; whatever may have been the case in this respect in any other of the West India Colonies, as pointedly adverted to in Mr. Secretary Stanley's Despatch, happily we, and our forefathers at least, to use the language of the great Apostle, have not closed the "door of utterance" to any who might seek to unfold the mystery of Christ. The number of teachers of religion, places of divine worship, and schools in operation, can scarcely, we apprehend, be surpassed in any rural district of like extent in The King's Dominions: to this gratifying state of things have also contributed perhaps the residence of a larger portion of proprietors than in some other Islands, and the facilities afforded by the face of the country, of simplifying the operations of agriculture by the plough and other machinery.

We do not presume to say that an immediate state of absolute freedom to every inhabitant of the Colony could be beneficially brought about by us without the co-operation and assistance of The King's Government; but with the humane and enlarged views by which they are doubtless impelled, there can be little reason to doubt their concurrence, particularly as the elements of the measure seem to us to be sufficiently simple, could we be brought to feel the perfect conviction, that the proposed amount of compensation would be actually available to our necessities, contemporaneously with the Act of Emancipation, or even fairly vested, so that the interest might accrue in aid of our establishments, and thereby enable us to put the new system advantageously in train. In the first place, it would be imperatively necessary that provision should be made for the care and maintenance of the aged, infirm, diseased, and otherwise helpless of those who are now in a condition of slavery, and who are or may hereafter become incapable of supporting themselves by labour or industrious pursuits, and which, viewing the cachectic constitution of the negro race, and how exceedingly subject they are over and above the ordinary catalogue of human infirmities to elephantiasis and leprosy in various forms, inveterate ulcers, ruptures, and so forth, it is feared must amount to a large part of the aggregate population. This important object we apprehend, on common principles of equity and christian benevolence, ought to be effected conjointly by the three great parties to the change in the social system by the free negroes themselves, whose kindred they are, by the British Nation and Government which seek and irresistibly propel the innovation, and by the proprietors of the soil, who are largely concerned in the future preservation of public tranquillity and reciprocal feelings of good-will among all classes of the community. The contribution of the able-bodied labourers might be procured by a voluntary appropriation of a small part of the weekly wages, that of the Government, by a relinquishment on the part of the Crown of the 4 ½ per cent. impost, and of the proprietors, by permitting the occupation of cottages and negro grounds, affording facilities for raising the usual live stock, and defraying the annual medical charges. To the

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rest, the other principal ingredient for rendering successful the proposed reformation, is, we conceive, a course of policy on the part of the parent State tending to foster the trade, and stimulate the agriculture of the Colony, so as to enable the planter, by a steady though moderate profit on capital and industry, to pay regularly and continuously the wages of free labour. In short, whether the period of an unrestricted freedom be immediate or more remote, it cannot, as we humbly conceive, be too deliberately and anxiously weighed by His Majesty's Government; whether to insure the successful solution of the great problem of tropical free labour, and which must be presumed to embrace alike the well-being of the labourer and his employer, and the permanent upholding of these Colonies as sources of revenue and national wealth; whether it is not in their power so to augment the remunerating value of the Colonial productions, by rigidly securing against the participation of all foreign slave-holding countries, the exclusive command of the home markets to the products of our future industry, by permitting some reasonable competition in the breweries and distilleries, and by every conceivable device which shall lessen the cost of production to the planter, who henceforward will give unexceptionable employment to the large class of persons whom it is the generous design of the nation to raise from slavery to a state of useful and productive freedom. As a measure auxiliary to such desirable results, our local experience prompts us to suggest the issue of a small coinage for colonial circulation, in order to supply the requisite means of paying the rustic labourers their wages every week; and which species of coinage we might hope to retain in circulation by fixing on it a denomination beyond its intrinsic value, and by some restrictive measure making it liable to seizure on exportation, under the authority of Parliament.

Common prudence at the same time would point out the establishment of an efficient police, and some addition to the military force in garrison, which so far from being hitherto augmented, we are inclined to believe is weaker than at any preceding period.

Such, sir, are the views and explanations the Board of Council and House of Assembly are desirous to bring under the immediate notice of His Majesty's Government, in order that we may have, if possible, timely rescue from the most obnoxious and repulsive system to be introduced by virtue of the Act of Parliament; a system, the difficulties of which, our experience teaches us no local enactments could possibly overcome.

Should we fail in procuring the coincidence of those holding the reins of government, we shall feel at least that we have performed a solemn duty towards all classes of His Majesty's subjects, bond or free, resident in or otherwise connected with this Island, who are entitled to look to us for a faithful and vigilant protection of their interests.

If for the sake of uniformity of system, the apprenticeship stage, whether to be mitigated or made more austere towards the master, by local laws, grounded on the projected Order in Council, should yet be pressed on this Colony, it will still remain for us to implore the attention of His Majesty's Ministers to one most essential feature of the case, and which seems hitherto in no degree to have been adverted to; which is, that if one-fourth of the labourer's time is to be withdrawn, all allowances of food, clothing, medical charges, and so forth remaining the same, and these to be looked into with the most scrupulous precision, there must be some countervailing increased remuneration on the productions of our industry, or removal of collateral burthens now pressing on it, whereby to enable proprietors to defray that increased cost, occasioned by a payment of wages for a part of the week; and this in proportion of course to the time so to be subtracted from the master and allotted to the servant. Though the sum of Twenty millions sterling to be dispensed by way of partial indemnity, may be supposed to afford to a certain extent the means of meeting such contingency, yet such fund to be awarded to a multitude of claimants, through intricate channels, by a tedious and dilatory process, and after indefinite curtailments and reductions, can in very few instances alleviate the urgency of the case; and the majority of individuals in possession, who will be looked up to for a successful administration of their properties, will remain unfurnished with resources for promoting the end proposed, of encouraging even partially free labour by the occasional payment of wages. So little satisfactory, so complex, and so far removed in their completion do the arrangements for payment appear to us, indeed, that we are almost tempted to say with the Roman orator, "Non tam justitia quam litigandi tradunt vias." Under any circumstances the modicum of compensation, whatever it may ultimately prove to be, cannot of course bear a comparison, as matter of importance in our eyes, with those measures which are essential for giving fortunate results hereafter to this momentous experiment. Thus the expediency of an abandonment of the 4 ½ per cent. Duties is still most forcibly presented to our view to facilitate the general good, as well of the servile class whose industrious habits it is laudably intended to encourage, as of the employers who are now but too sadly depressed by overwhelming difficulties of all kinds. If any West India Colony struggling through the general adversity, has yet not been unmindful of its obligations to improve the moral worth of the lower classes by liberal views and by some sacrifices of time and expenditure, it surely cannot be the desire of the Crown or the people of England to place the agricultural resources of such Colony on a worse footing than that of others, which may have been more regardless of such observances. There does not seem to remain a single plausible motive why the loyal and more ancient dominions of His Majesty, labouring under greater physical difficulties, should not enjoy at least the same fiscal advantages as those possessed of more natural capabilities, but more recently brought under subjection to the British Crown. At a moment when the extirpation of the deep-rooted and inveterate errors and evils of the political frame is resolutely determined on, what reason, we would ask, can there be for retaining this vicious and consuming excrescence? If it be desirable to conciliate every where the colonists, why not at so critical

and

and agitating a conjuncture yield this small boon? It cannot be imagined that an opulent power which magnanimously resolves on raising twenty millions of money for kindred objects, cannot otherwise provide for the charges settled on this insignificant branch of revenue; if that be the case, better as we apprehend to take a portion of the intended Compensation Fund, than continue this, or any other unnecessary restraint on the expansion of the industrious pursuits of the present and future generations.

We are indeed, sir, unhesitatingly led to make this claim on the *justice* of His Majesty's Government; for the reciprocal covenants under which this most irksome impost alleged to have been made, do seem to us to be virtually abrogated by the recent Act of the National Councils. The recollection that it was originally wrung under false and unjust pretences from a feeble and unprotected people under a profligate reign, cannot but add, we trust, to this our most earnest appeal to the wisdom and beneficence of our gracious Sovereign. We do therefore, sir, humbly submit, that in any local Act which we may be called upon to pass to carry into execution the designs of Government, we may have His Majesty's sanction for repealing the Act of our island of the 20 Charles II. anno dom. 1668, intituled, An Act for the Settlement of the Custom or Duty of 4½ per cent.

Praying that your Excellency will lose no time in submitting these grave matters on the part of the Board of Council and House of Assembly, to the consideration of His Majesty's Ministers, we remain, with the tender of our highest and most dutiful regard,

Sir, your Excellency's, &c. &c.

(signed) *Sam. Warner*, President.
(signed) *Nicholas Nugent*, Speaker.

To His Excellency
Sir Evan J. Murray M'Gregor, Bart. C.B. K.C.H.
Governor and Commander-in-Chief, &c.

No. 1.

Government House, St. John's, 28th Oct. 1833.

Sir,

I REQUEST you will be pleased, at your earliest convenience, to favour me with your opinion as to the fitness of the slave population of this island to receive unqualified freedom after the 1st of August next, instead of being subjected, before final emancipation, to an intermediate system of apprenticeship.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

To the Rev. R. Holberton, A.M. Rector of St. John's.
To the Rev. Bennett Harvey, Superintendent of the Moravian Mission, Antigua.
To the Rev. Mathew Banks, Superintendent of the Wesleyan Mission, Antigua.

No. 2.

Rectory, St. John's, Antigua, 30 Oct. 1833.

Sir,

I HAVE had the honour of receiving your Excellency's communication, and in compliance with the request therein contained, I beg leave to offer the following as my opinion on the question proposed:

That the slaves of this island have attained to that degree of religious and civil improvement as to be qualified for receiving unrestricted emancipation on the 1st of August next, without previously passing through an intermediate state of apprenticeship. If the masters have means at their command for regularly paying the people their wages, I fully expect that the people will not decline working the land; and from the quietness and good order which they have in general maintained, and the regard they have hitherto shown to the instructions and admonitions of the ministers of the Gospel, I have good hope that they will not prove less orderly nor less influenced by religion when they shall have been advanced into a state of unqualified freedom.

I have, &c.

(signed) *Robt. Holberton.*

To His Excellency Sir E. J. M. M'Gregor,
&c. &c. &c.

No. 3.

Wesleyan Mission-house, St. John's, 29 Oct. 1833.

May it please your Excellency,

I HAVE the honour to receive a communication from your Excellency, requesting any opinion, "as to the fitness of the slave population of this island to receive unqualified freedom after the 1st of August next, instead of being subjected, before final emancipation, to an intermediate system of apprenticeship."

I beg most respectfully to assure your Excellency, that it has long been, and still is, my *decided* opinion, that the slaves on this island are in a state of *entire* fitness to receive the proposed boon. And, after near seven years' observation and close consideration of the moral and religious state, the peculiar habits and general character of the negroes, I am bold

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bold to aver to your Excellency that I can scarcely conceive of any possibility of danger to any class of His Majesty's subjects, which could arise from immediate and entire negro emancipation in this Colony; provided that such an enactment should meet the approbation of the Colonial Legislature and the generality of the slave proprietors; and provided also that a vigorous police be established for the first few weeks, and that legal provision be made for the support of the aged and infirm.

I would further most humbly submit to your Excellency, that it has been and is my invariable opinion, that the entire annihilation of slavery in the manner above specified would tend greatly to the advantage of all classes of this community.

I have, &c.

(signed) *Matthew Banks*, Wesleyan Missionary.

To His Excellency Sir E. J. M. M'Gregor, Bart.
Governor and Commander-in-Chief in and
over His Majesty's Leeward Islands, &c.

No. 4.

TO his Excellency the Governor.

Sir, Spring Gardens, St. John, 1 Nov. 1833.

I BEG leave to state, that a result of a conference of the Moravian Missionaries of Antigua, held here this morning, to consider the communication received from your Excellency on the 28th ult. is, that the majority of this conference are of opinion, that unqualified freedom after the 1st of August next, is more fitting than an intermediate state of apprenticeship for the slave population of this Island.

I have, &c.

(signed) *Bennet Harvey.*

(True copies.) *E. J. Murray M'Gregor*, Governor.

No. 152.

—No. 152.—

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 13 December 1833.

I HAVE received your Despatch of the 4th November last, inclosing a communication which you have received from the Legislative Council and Assembly of Antigua, in the form of a joint letter from the President and Speaker of those bodies; and I feel it my duty, in the first place, to express my satisfaction that this communication, involving subjects of the highest importance to the colony, and made at a period of peculiar interest and anxiety, is characterized by a spirit of moderation, and that the objections which it brings forward to the plan of emancipation, which has been formed by the Imperial Parliament, are temperately, although earnestly supported.

It affords me no small gratification that I am enabled, to some extent at least, to meet these objections, so far as relates to the colony of Antigua.

The first and principal question to which the Legislature of Antigua has thus directed my attention is, whether they may provide for the complete emancipation of the slaves in that colony, on the 1st of August next, without the intervention of any apprenticeship. Upon this most important topic I have in fact already expressed my opinion. In my circular despatch of the 19th October last, I have signified to you that you are not to consider yourself bound to refuse your assent to any Bill which may be passed in any of the colonies over which you preside, in furtherance of the Act for the Abolition of Slavery, merely because such Bill should dispense with the intermediate state of apprenticeship. I have, therefore, merely to confirm that instruction. The plan of emancipation which the Imperial Legislature has sanctioned, was framed so as to afford to all the colonies the option of a gradual and safe transition from slavery to freedom; but it was intentionally left open to each colony to make such modifications in that plan as might best suit its own peculiar circumstances; and it was anticipated that in those colonies in which the state of the negro population might be such as to render it feasible to shorten or relax the proposed state of transition, the Colonial Legislatures would not be reluctant to adopt such a course. It is with no small satisfaction, therefore, that I learn that the negro population in Antigua is, according to the opinion of those who are the most competent to judge, in a state of civilization and instruction sufficiently advanced to qualify them for immediate and unrestricted emancipation, and this satisfaction is enhanced by my perceiving that the Legislature of Antigua and the resident

resident proprietors are willing to evince their concurrence in the views and wishes of the Mother Country, by conferring the boon of freedom without delay and without qualification.

It will be a gratifying reflection to these proprietors, and cannot fail of adding to the satisfactory working of the new system, that for so material an improvement in their conditions, the negroes will be indebted to their own good and orderly conduct.

As affording important facilities for the development of the new system about to be introduced, the Legislature of Antigua express considerable anxiety for the speedy distribution of the compensation fund. The mode of effecting that distribution was devised for the express purpose of obviating the delays, the complexities and the expense of that litigation, which the Legislature of Antigua so earnestly deprecate; and I confidently hope that the diligent exertions of the Commissioners who have been selected for this purpose will quietly dispel all apprehension upon the subject.

With regard to the suggestion thrown out by the Legislature of Antigua, that the amount of compensation should be vested contemporaneously with the Act of emancipation, I am happy to be able to say, that arrangements will be so made that the sum which may be determined as the proper share for the colony of Antigua will bear interest, for the benefit of the parties entitled, not indeed from the actual passing of the Colonial Act of emancipation, but from such period as they may fix upon for the commencement of its practical operation.

It affords me satisfaction to perceive that the Legislature of Antigua, in contemplating the subject of emancipation, has not lost sight of a very important difficulty attending its immediate adoption. I allude to the necessity of providing for the support of those negroes who, by disease and bodily infirmity, may be rendered incapable of their own maintenance. I have no doubt they will so frame their enactments upon this head as not only to accomplish the objects intended, but at the same time to hold out the greatest possible inducements to habits of prudence and forethought on the part of the labouring population, who have hitherto had but little opportunity or motive for the exercise of these qualities.

As tending to create and foster such habits, and also as affording an adequate circulating medium, adapted to the new circumstances in which the colony will be placed, the establishment of banks and the issue of a local coinage of small denomination for colonial circulation, is under the anxious consideration of His Majesty's Government. With regard to the specific measures of relief and protection which are especially pointed out by the Legislature of Antigua, (namely) the abolition of the 4½ per cent. Duties, the monopoly of the home market, as against foreign slave-holding states, and the encouragement of the cultivation of sugar, by giving facilities for its use in breweries and distilleries, I regret that I must confine myself to the general intimation of my intention to give to these subjects the most impartial and careful attention. At the same time, however, I may venture to assure you, that the line of conduct which the colony of Antigua is disposed to pursue upon this momentous occasion, secure to it a strong claim upon the Imperial Parliament for such relief and assistance as can be afforded without adding to the fiscal burthens, or injuring the general interests of the Mother Country.

I have, &c.

(signed) *E. G. Stanley.*

—No. 153.— No. 153.

EXTRACT of a DESPATCH from Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*, dated Government House, Antigua, 27 November 1833.

I DO myself the honour of addressing you at present in reference to my letters of the 2d and 4th instant.

The Bill adverted to in the first of those communications, for transferring the power of corporally punishing slaves, from owners, managers, &c. to the colonial magistracy, passed the Council, but was thrown out by the Assembly, after a debate with closed doors.

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No. 154.

— No. 154. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 1 January 1834.

I HAVE received your Despatch of the 27th of November last, in which you inform me that the Bill for transferring the power of corporally punishing slaves from owners, magistrates, &c. to the colonial magistrates, which had passed the Council, was thrown out by the Assembly.

I cannot but feel considerable regret, that a measure should have been rejected which seemed to be so entirely in accordance with the humane sentiments displayed in the letter from the President of the Council and the Speaker of the Assembly to yourself of the 2d November last, and to be consistent with that advanced moral condition of the Negro population in Antigua, which has induced the Legislature of that colony to desire that the intermediate state of apprenticeship sanctioned by the British Parliament should be dispensed with.

I have, &c.

(signed) *E. G. Stanley.*

No. 155.

— No. 155. —

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 17 February 1834.

HAVING communicated, by message, on the 13th instant, to the Council and Assembly of this Colony the Despatch with which you have been pleased to honour me, under date the 13th of December last, the copy of a joint Letter to my Address from the President and Speaker is herewith submitted for your consideration and commands, together with that of "An Act for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,' and for repealing an Act, intituled, 'An Act for the Settlement of the Custom or Duty of Four-and-a-Half per Cent.,' in order to enable the Colony 'to sustain the pressure of the heavy additional Burthens which are about to be entailed upon it.'"

No 1. 13 February 1834.
No. 2. 16 February 1834.
No. 3.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosures in No. 155.

Enclosures in No. 155.

No. 1.

His Excellency the GOVERNOR to His Honour the PRESIDENT and COUNCIL.

THE Governor has considered it his duty to embrace the earliest opportunity of conveying to your Honourable Board a copy of the Reply from His Majesty's Principal Secretary of State for the Colonial Department, on the subject of the joint letter addressed to his Excellency by the President and Speaker on the 2d of November last.

13 December 1833.

(signed) *E. J. Murray M'Gregor*, Governor.

Government House, St. John's,
13 February 1834.

A similar message to the Assembly.

No. 2.

(Duplicate.)

Sir, Antigua, 16 February 1834.

THE two Houses of Legislature, in submitting to your Excellency the Act just passed for the final Abolition of Slavery throughout the Island of Antigua, have thought it might not be altogether inexpedient on so serious an emergency, that its transmission to England should be accompanied by such few brief explanations as the instant departure of the mail may permit, in order that if possible it may secure a more favourable reception by His Majesty's Government.

In the first place, it seems necessary to state, that it is intended this preliminary Act should be followed by one for establishing an efficient police throughout the island, and another for encouraging

encouraging the voluntary binding of children as agricultural apprentices till twenty-one years of age, under proper conditions, and of course in perfect consistency in all respects with the provisions of the late Act of Parliament; this will be with the view not only of relieving the parents to a large extent from the burthen of maintaining their children, but of bringing up the rising generation to habits of industry, and of training them betimes to rural labour.

As subsidiary to these more important laws, it will probably be found requisite to pass enactments to repress vagrancy, and to define more clearly and extend the law of trespass, as well as to modify our existing law (No. 70) for the summary recovery of wages and other small debts.

One of the most formidable obstacles to an emancipation of the slaves in our Island has always appeared to be, the difficulty of providing for the large proportion of infirm and diseased persons among them, who must be incapable of earning their subsistence; and the extent of this difficulty can scarcely be appreciated by those who have had no opportunity of visiting this part of the world, or of mingling in the details of its rural economy. It will be seen in the Act now submitted, that as regards such portion of the negroes who may be in that afflicted, helpless and destitute condition at the moment of emancipation, their maintenance is fixed as a permanent burthen or annuity-charge, as it were, on the respective plantations to which they were severally attached during the period of slavery; as it is conceived that the proprietors will be able to do this on easier terms to themselves, and with less general inconvenience than could be effected by any other means; but should it hereafter prove otherwise, a parochial relief, or some other benevolent course, partaking of the nature of friendly societies, if found more convenient and equally effectual, is kept in view. His Majesty's Secretary of State, in his considerate despatch of the 13th December last, very judiciously expresses a hope that our legal provisions may be such as to hold out the greatest possible inducements to habits of prudence and forethought on the part of the labouring population. Such, certainly, is our most anxious desire; and we purpose by no means to deviate from the well-regulated system of administering to the relief of the destitute, which has long obtained in this island. The parish vestries being merely empowered to grant relief by rates on the close investigation of each individual case, but not authorized to give aid to any one as a legal due: in this way the idle, improvident and able-bodied receive no assistance, but are very properly cast on the exertion of their own natural energies for a livelihood. With us, therefore, the relief afforded is entirely of a benevolent and compassionate character, as circumstances arise; and on this footing it is of course intended that all those of the entire mass of population, whether white, coloured or black, who, subsequently to the era of emancipation, may be able to exhibit urgent claims of distress on the several parishes, shall receive assistance.

The third clause of our Act has been introduced with the view of rendering as little abrupt as possible the transition from slavery to unrestricted freedom; to keep things, as far as may be, *in statû*; to prevent any very sudden dislocation and confusion; to allow the newly-manumitted to elect their future places of residence and service, and gradually to settle down and cement the subsequent relations of master and servant.

It is manifest, sir, from this very cursory exposition, that His Majesty's ancient and loyal colony of Antigua will be immediately called upon, for measures of vital security and importance, to incur a large expenditure, for which a long course of adverse circumstances has left it almost entirely unprepared. Not only will the provision for the destitute, as we have described it, lead to considerable expense and consequent charges on the proprietors of the soil (on the precise amount of which it is impossible at present to form any conjecture); but the contemplated police establishment will, in all probability, require an annual outlay of several thousand pounds currency, with the additional cost for providing stations and erecting houses of correction. To no source does it occur to us to look for adequate means in these particulars, and to enable us to meet all other stern exigencies of the approaching crisis, except to a remission of the 4½ per cent. Duties. We humbly trust, therefore, our motives for blending this subject in the present enactment will not be misconstrued, especially after the explicit notice and avowal of our design in the joint Report of the 31st October last, and the hopes which His Majesty's Secretary of State encourages us to entertain of the strong claim which this Colony will have on the Mother Country, in consequence of the advanced position which it has not hesitated to take on so unexampled an occasion. If our present conduct is indeed deserving of public commendation, and has contributed aught to strengthen the hands of the King's Government amid the distracting discussions connected with this momentous question, this is certainly the specific requital which we most sedulously and importunately seek, and which will do most to insure general confidence and good-will, and to cheer us on amidst the numberless difficulties which we cannot disguise to ourselves we shall, under any circumstances, have to encounter. No other boon or bounty, however gracious and munificent, can to our feelings come in competition with this, proving, as the impost does, a dead weight on our agricultural industry, which excites a constant invidious comparison with the other more favoured West India Colonies of His Majesty, and which, at various periods of our history, has created the most painful social bickerings and heart-burnings. We almost despair of adding to the force and earnestness of our late joint Report; but nevertheless we would still remind His Majesty's Government that we are no longer, in this particular, pleading the cause of a few slave-holding proprietors, but that of all classes of His Majesty's *free* subjects in the Island; and there will be none other. Whatever will relieve the burthens on the agriculture of the Colony, will benefit not only the landholder, but the labourer, whose welfare and continuous employment will depend on the remunerating

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returns which such agriculture may afford. The emancipated negro himself, who by his savings and industrious course of life may acquire a plot of ground, and cultivate it in any of the minor exportable productions of the climate; as, for instance, ginger, arrow-root, aloes, and so forth, will otherwise receive in this way a check to his laudable exertions, as well as the most considerable cultivator. This impost, therefore, preys on the very vitals; and its retention, at a period of so great a political reformation, would, we confess, appear to us to be not only injurious, but somewhat inconsistent. It is worthy of deliberation if the measures which we thus hold to be essential to ultimate success be thwarted by the continuance of this or any other unnecessary restraint on the productive efforts of the Colony, whether the same 4½ per cent. fund itself may not come speedily to be placed in jeopardy, as well indeed as the whole amount of revenue which the Colony, by its various productions, has paid annually into the King's Exchequer; to say nothing of the collateral stimulus afforded to the shipping interest, and the commercial, manufacturing and agricultural energies of the Nation.

To us, sir, it seems merely a question of the undoubted prerogative of His Majesty, as regards his assent to an Act of the Legislature of Antigua. If the Crown has really divested itself of a portion of the prerogative, and has immediately given up the control of the subject of the 4½ per cent. Duties to Parliament, then we fervently hope the Minister, with his customary talent, candour and sincerity, will propound the measure to Parliament, and we have no misgivings as to its voice and sympathy being decidedly in our favour.

We will only add, that our grateful acknowledgments are due to His Majesty's Secretary of State for his candid reception of our late communication, and for his prompt and liberal acquiescence in some of its suggestions. As regards the payment of interest on our proportionate share of the Compensation Fund, our meaning was, that the parties in possession of plantations should be enabled, from the period of the commenced operation of our local Act, to avail themselves of such interest money, say quarterly or otherwise, to aid in the payment of labourers' wages pending the final distribution by the Commissioners to themselves and all other claimants concerned.

Finally, we submit, sir, that as Antigua seems on the eve of making a more marked and sudden transition in its social state than the neighbouring Colonies, the precaution of a timely augmentation of its garrison may not be unadvisable.

We beg to remain, Sir, your Excellency's most faithful and obedient servants,

(signed) *Sam. Warner*, President.
Nicholas Nugent, Speaker.

(A true copy) *Thos. Lane*, Secretary.

No. 3.

ANTIGUA.—A Bill for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves;" and for repealing an Act, intituled, "An Act for the Settlement of the Custom or Duty of Four-and-a-Half per Cent." in order to enable the Colony to sustain the pressure of the heavy additional Burthens which are about to be entailed upon it.

WHEREAS by the twenty-third section of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the third and fourth years of the reign of His Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, "that in case the Governor, Council and Assembly of any one or more of His Majesty's Colonies aforesaid shall by any Act or Acts of General Assembly for that purpose made, substitute for the several enactments therein before contained, or any of them, any enactments accomplishing the several objects in such thereinbefore contained enactments respectively contemplated as fully and to the like effect, but in a manner and form better adapted to the local circumstances of any such Colonies or Colony, and in case His Majesty shall, by any Order or Orders to be by him made, by the advice of his Privy Council, confirm and allow any such Act or Acts of Assembly, and shall in and by any such Order or Orders in Council recite and set forth at length the several provisions and enactments of that Act for which such other enactments as aforesaid shall have been substituted by any such Act or Acts of General Assembly, then and in such case so much and such parts of that Act as shall be so recited and set forth at length in any such Order or Orders of His Majesty in Council shall be suspended and cease to be of any force or effect in any such Colony from and after the arrival and Proclamation therein of any such Order or Orders of His Majesty in Council, and shall continue to be so suspended so long as any such substituted enactments shall continue in force and unrepealed, and no longer:"

And whereas the Governor, and Council and Assembly of this Colony, having maturely considered the system of Apprenticeship prescribed by the said Act of Parliament in all its bearings, have arrived at a conviction of the expediency of dispensing with the same, and allowing the Slave Population to pass to a state of absolute and entire freedom on the first day of August One thousand eight hundred and thirty-four:

And

And whereas the ordinary local resources cannot be justly expected to be equal to bearing the increased expenditure which must obviously be required for accomplishing the several objects contemplated in this Act, and the Legislature is therefore imperatively called upon to appeal to the generous and benevolent feeling and consideration of The King's most Excellent Majesty, and implore his gracious assistance in relieving this ancient Colony from 'the Four and a half per cent. impost,' a burthen which has long and severely pressed upon its interests, under which colonies not more conspicuous for their loyalty and attachment to His Majesty's person and government, though possessing infinitely greater wealth and local advantages, have never laboured, and from which its present impoverished condition and dejecting prospects now urge it, with all due and profound reverence for His Majesty, and an implicit reliance upon his royal and paternal care, and the solicitude he has invariably manifested for the welfare of all classes of his faithful subjects, to prefer its strong equitable claim to be in future equally free:

I. May it therefore please Your most Excellent Majesty, That it may be enacted, and be it enacted by the Governor and Commander-in-Chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, Saint Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and the Council and Assembly of this Your Majesty's Island of Antigua, and it is hereby enacted and ordained, by the authority of the same, That all and every the persons, who on the first day of August one thousand eight hundred and thirty-four, shall be holden in slavery within this Colony or its dependencies, shall upon and from and after the said first day of August one thousand eight hundred and thirty-four, become and be to all intents and purposes free, and discharged of and from all manner of slavery, and of and from the obligations imposed by the said hereinbefore in part recited Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves;" and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children shall in like manner be free from their birth; and that from and after the said first day of August one thousand eight hundred and thirty-four, Slavery shall be and is hereby utterly and for ever abolished and declared unlawful within this Colony and its dependencies.

II. And be it further enacted, That the said persons so manumitted shall on the said first day of August one thousand eight hundred and thirty-four, be considered eligible in the several parishes in which they were last holden in slavery, to receive parochial relief on the same footing as all His Majesty's other subjects in this Colony.

III. And be it further enacted, That until the first day of August one thousand eight hundred and thirty-five, it shall not be lawful for the owners or directors of plantations to evict or expel any labourer or labourers, person or persons, who shall be willing to continue to perform such work as shall be assigned to him, her or them, and shall truly and faithfully perform the same for stipulated wages, or who shall be then labouring under any such disease or mental or bodily infirmity as may render him, her or them incapable of earning his, her or their subsistence, from the habitations or tenements which he, she or they respectively personally occupied in their state of slavery, except in case of insubordinate, quarrelsome, disorderly or riotous behaviour, or in case of drunkenness, theft, trespass or other gross delinquency on their part; when it shall be competent to any two or more justices of the peace, upon due and impartial inquiry made into the merits of the complaint, by an authority under their hands and seals to sanction the expulsion of any such delinquent; but the said owners or directors of plantations shall be and are hereby required to permit and suffer the said labourers and persons to have and enjoy respectively the personal occupation of the said habitations or tenements, by way of a temporary and gratuitous accommodation for the year ending on the said first day of August one thousand eight hundred and thirty-five, and no longer, without any molestation or interruption of or by the said owners or directors of plantations, under a penalty of five pounds for every offence, to be recovered and applied in the manner hereinafter mentioned.

IV. And be it further enacted, That from and after the said first day of August one thousand eight hundred and thirty-four, all owners or directors of plantations in this Colony shall be and are hereby required to supply those persons who in their state of slavery were attached to such plantations respectively, and shall at the time of emancipation be afflicted with any such disease or mental or bodily infirmity as may render them incapable of earning their subsistence, with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances, as by the laws now in force in this Colony an owner is required to supply to and for any slaves being of the same age and sex, and under the same circumstances as such persons shall respectively be, until proper arrangements and due and adequate provision shall be made for their maintenance and relief by the respective parishes, or by some other benevolent and effectual plan, in their favour, and no longer, under a penalty of five pounds for every offence, to be recovered and applied in the manner hereinafter mentioned.

V. Provided always, and be it enacted, That in the event of any dispute or difficulty in ascertaining whether any particular individual shall be included in such number of persons, it shall and may be lawful for the parties interested to make their appeal to two or more of the nearest of His Majesty's justices of the peace, who taking to their counsel some experienced medical practitioner, shall under their hands and seals peremptorily and conclusively decide in this behalf.

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VI. And be it further enacted, That the penalties imposed by this Act shall and may be recovered before any two or more justices of the peace; and all justices of the peace are hereby empowered and required, upon complaint to them made, to grant a warrant to bring the offender before them, at the time and place in such warrant specified; and if, on conviction of such offender on his or her confession, or on the evidence of any one or more credible witness or witnesses upon oath (which oath such justices are hereby empowered to administer), any such penalty shall not be forthwith paid, it shall and may be lawful to and for such justices to levy the same by distress, and for want of distress, to commit every such offender to the common gaol, there to remain without bail or mainprize for any time not exceeding twenty days, unless such penalty, and all reasonable charges attending the recovery thereof shall be sooner paid; and all such penalties, when so recovered and levied as aforesaid, shall be paid into the public treasury, to be applied to the general uses of the Colony.

VII. And be it further enacted, That an Act of this Island, dated the nineteenth day of May one thousand six hundred and sixty-eight, intituled, "An Act for the Settlement of the Custom or Duty of Four and a Half per Cent," shall be and the same is hereby repealed.

Passed the Assembly on the 13th February 1834, and the Council on the 15th February 1834.

— No. 156. —

No. 156. COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 19th February 1834.

I HAVE been informed by Mr. Brown, the agent for the Island of Antigua, that a Bill for the Abolition of Slavery in Antigua had passed through one or more of its stages in the House of Assembly, containing an enactment repealing the four and a half per cent. duties.

I hope that in the further progress of the measure, the Legislature of Antigua will become sensible of the risk and impropriety of the insertion of such an enactment, and that it will ultimately be omitted, more especially as my reply of the 13th December to your Despatch of the 4th November last, in expectation of which it would appear that the House of Assembly had adjourned for a short interval, will have held out no definite hope of the repeal of those duties.

I trust also that you will not have failed to point out to the Legislature that by the 14th clause of your instructions, under the Sign Manual, you are required "as much as possible to observe in the passing of all laws, that whatever may be requisite upon each different matter be provided for by a different law, without mixing in one and the same Act such things as have no proper relation to each other;" that in my Despatch of the 19th October last, I especially advised you that in case the Legislature were desirous of making any provisions in connexion with the Act for the Abolition of Slavery, the approval of which might in any degree be doubtful, these provisions should be contained in a distinct Act, so as not to endanger the acceptance of the main and substantial part of the measure, upon which the right of the Colony to its share of the compensation might depend. You will, doubtless, also have called the attention of the Assembly to the fact, that the four and a half per cent. duties are under the control of the Imperial Parliament, and that the Assembly of Antigua have no right to legislate as to their repeal or modification. If, notwithstanding these considerations, the Act for the Abolition of Slavery should be passed by the Legislature of Antigua and assented to by yourself, and should contain the objectionable clause to which I have alluded, His Majesty will have no alternative but to disallow it. The primary result of that disallowance will be, that unless the Legislature of Antigua shall be able to take immediate steps for repairing this mistake, and previous to the 1st August to pass another Act for the Abolition of Slavery, to which His Majesty shall find himself able to assent, the British Act will come into unaided operation, and the apprenticeship will commence without any of its incidental regulations having been provided for. I am convinced that the Legislature of Antigua and yourself will be fully sensible of the inconvenience and danger of such a state of circumstances, and that in case the Act for the Abolition of Slavery in Antigua shall not have been transmitted to this country previously to the receipt of this Despatch, and shall contain the clause which Mr. Brown has brought under my notice, the Legislature will require no additional arguments to induce them to prevent the unfortunate consequences which I have pointed out, by taking measures for the omission or repeal of the objectionable enactment.

I have, &c.

(signed) *E. G. Stanley.*

— No. 157. —

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No. 157.

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 10th April 1834.

I HAVE received your Despatch of the 17th February last, inclosing copies of the Bill for the Abolition of Slavery which has been passed by the Council and Assembly of Antigua.

My Despatch of the 19th February last, will already have informed you that His Majesty would have no alternative but to disallow this Bill, in consequence of its containing a clause repealing the four and a half per cent. duties, so far as respects Antigua.

Trusting, however, that in pursuance of the intimation conveyed in that Despatch, the Legislature of Antigua will have lost no time in framing a similar Bill, with the omission of the objectionable clauses, I shall delay taking the necessary measures for signifying His Majesty's formal disallowance of the Bill which you have transmitted to me, until I shall again hear from you on the subject.

I conceive, however, that it is due to the Legislature of Antigua not to omit this opportunity of expressing my unqualified approbation of the provisions of the Bill which relate to the Negroes. The objects and probable effects of the 2d and 3d clauses, which provide for the temporary domicile of the Negroes in their present habitations, and for the support of the aged and infirm, until some other system can be devised for that purpose, have been so justly and forcibly pointed out in the joint letter of the President and Council, and the Speaker of the Assembly to yourself, of the 16th February, that I feel it unnecessary to make any comments upon them, further than to express to you my opinion that these benevolent and prudent enactments will in no small degree enhance the value of the boon conferred upon the Negro population; that they will furnish an additional motive for their gratitude and attachment, and will most materially contribute to the successful issue of the important experiment of unqualified and immediate freedom which the Colony of Antigua has determined to undertake.

I have, &c.

(signed) *E. G. Stanley.*

— No. 158. —

No. 158.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 4 June 1834.

YOUR Despatch of the 10th April was communicated to the Council and Assembly on the 2d instant, and I have enjoyed the gratification of this day assenting to a Bill for the Abolition of Slavery in Antigua and its dependencies, "from and after the first day of August next."

This Bill, a transcript of which is enclosed, is similar to that upon the same subject now in your possession, with the omission of the objectionable clause, repealing the four-and-a-half per cent. duties, and with a few other apparently inconsiderable alterations, and is intituled, "An Act for relieving the Slave Population from the obligations imposed upon them by the recent Act of the Imperial Parliament of the United Kingdom of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves.'"

Printed in the Appendix (B.) No. 18.

The first clause abolishes slavery in Antigua and its dependencies, on the 1st day of August 1834, for ever.

The second clause grants parochial relief to all persons so manumitted on the 1st day of August, on the same footing as all His Majesty's other subjects in this Colony.

The third clause prohibits owners or directors of plantations from evicting or expelling labourers willing to work for stipulated wages, or labouring under mental or corporeal diseases, or infirmity, from their habitations or tenements on plantations before the 1st day of August 1835, except guilty of disorderly and improper conduct, then by the order of two or more justices of the peace.

The fourth clause compels owners or directors of estates, from and after the 1st day of August 1834, to furnish such diseased or infirm persons as were in a

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state of slavery attached to the plantation, with the same maintenance, care and attention as the laws now in force in the Colony require to be furnished to slaves of same age and sex, and under similar circumstances, until adequate parochial or other relief is provided.

The fifth clause: In case of dispute or difficulty as to what persons are so entitled to relief, appeal to be made to two or more of the nearest justices of the peace, whose decision to be conclusive.

The sixth clause regulates the mode of bringing offenders before magistrates, and the proceedings before them, and regulates the manner of recovering the penalties imposed by this Act.

Under the peculiar circumstances in which this enactment has been presented to me, my assenting to it will, I trust, be honoured with your approval.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

No. 159.

—No. 159.—

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 30 June 1834.

I DO myself the honour of forwarding two Acts passed by the Governor, Council and Assembly of this Island; viz.

Printed in the Appendix (B.) No. 19 & 20.

1st. An Act for establishing a new System of Police, and for increasing the power of the Magistracy of this Island in the appointment of Rural Constables, and for providing and regulating a House of Correction.

Former Acts repealed; Governor or Commander-in-Chief to select persons for, and to fill up vacancies. Members of police not to follow other occupation or to take fees, to wear uniform, and to be supplied with arms, &c., and not to do militia duty.

Superintendent to keep two horses; to be a justice of the peace, &c.

Assistant of police to act as chief at the station to which he is appointed, &c.

Clerk to be always stationary at St. John's.

In St. John's, besides constabulary duties, to keep watch and ward, to apprehend rogues, vagabonds, &c.

Three other stations to be formed under the authority of the Governor, who is empowered to hire or rent houses, &c.

On application of the owner, two Justices may appoint persons domiciliated as labourers, to be constables on plantations.

Central house of correction established at the new jail, until adequate provision for such institutions be made in the several parishes.

The Act to continue in force for two years.

2d. An Act for enabling Labourers, Artificers and Servants to recover by summary process their Wages from their Employers, and for repealing an Act dated the twenty-eighth of October, in the year one thousand six hundred and eighty-four, intituled, "An Act for enabling Artificers, Labourers and Servants to recover their Wages from their Masters."

Printed in the Appendix.

Clause first, enables artificers, labourers or servants to recover wages due, before any one of His Majesty's justices of the peace: provided complaint made within 30 days, and sum not exceeding 5*l.* current gold and silver money.

Clause second, repeals former Act of 28th October 1684.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

No. 160.

—No. 160.—

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 3 July 1834.

I DO myself the honour of laying before you copies of Proclamations issued in this Island, under the advice of His Majesty's Privy Council, in reference to the change to occur in the condition of the labouring classes, on the 1st of August next.

1 & 2. 13th June and 1st July 1834.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

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Enclosures in No. 160.

No. 1.

E. J. Murray M'Gregor.

(L. S.)

ANTIGUA.—By his Excellency Sir *Evan John Murray M'Gregor*, Baronet, &c. &c., Governor and Commander-in-Chief in and over His Majesty's Islands of *Antigua, Montserrat, Barbuda, St. Christopher's, Nevis, Anguilla*, the *Virgin Islands* and *Dominica*, Chancellor, Vice-Admiral and Ordinary of the same, &c. &c. &c.

A PROCLAMATION.

WHEREAS it hath pleased Almighty God in His infinite wisdom to bring to a happy termination the system of Slavery hitherto existing in this Colony, and to bestow on all its inhabitants the privilege of freedom; and it is incumbent on us to testify our grateful sense of the Divine favour on so interesting an occasion, and to implore the permanent protection of the Supreme Being; I do hereby, by and with the advice of His Majesty's Privy Council, direct and appoint that Friday the first day of August next be observed in all churches and chapels as a day of general thanksgiving for these mercies, and likewise of humble intercession to the wise Disposer of all things for His continued blessing on this most important change.

It is expected that this day will be observed by persons of all classes with the same marks of respect and reverence as the Sabbath.

Given under my hand and seal at Government-House, this thirteenth day of June, one thousand eight hundred and thirty-four, and in the fourth year of His Majesty's reign.

GOD SAVE THE KING.

By his Excellency's command,
Charles Taylor, Private Secretary.

Duly published this thirteenth day of June, one thousand eight hundred and thirty-four. } *Henry Berkeley*, Deputy Provost Marshal.

No. 2.

E. J. Murray M'Gregor.

(L. S.)

ANTIGUA.—By his Excellency Sir *Evan John Murray M'Gregor*, Baronet, &c. &c., Governor and Commander-in-Chief in and over His Majesty's Islands of *Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla*, the *Virgin Islands* and *Dominica*, Chancellor, Vice-Admiral and Ordinary of the same, &c. &c. &c.

A PROCLAMATION.

WHEREAS his Excellency the Governor in the month of December last, then contemplating a system of apprenticeship, notified to the working population of this community, that a statement should in fitting time appear, explaining the circumstances in which they would be placed on and after the first day of August next.

And whereas by an Act lately passed and published, the same being in concert with the views of His Majesty's Government, the legislature of the Island, confiding in the good character which experience had led them willingly to recognize in the labouring classes, have dispensed with the intermediate stage of apprenticeship, and have declared them to be on the ensuing first of August free subjects of The King, to all intents and purposes in like manner as the inhabitants of the United Kingdom.

And whereas the time is now at hand when the race of people, who are to partake of this blessing, will be placed in a situation either to answer, or to disappoint, the confident expectations that have been formed of them.

It hath therefore seemed good to his Excellency the Governor, by and with the advice of His Majesty's Privy Council, to call the serious attention of those, who are so soon to become free, to the following most important points.

First.—That their condition will be no longer that of reliance on their masters for food, house-room and clothing; their new position will remove them from this close connexion with their former owners, and they will henceforth have to depend for the necessaries of life on the honest and industrious labour of their own hands.

Secondly.—That whilst the utmost benefit of the laws, and encouragement from the owners of plantations will be given to those who labour industriously and live soberly and honestly where they are permitted to reside, the magistrates will be by law empowered to order to be taken up and brought to deserved punishment, all such as shall wander about in idleness, or attempt to make a living by robbery, theft or any dishonest means: and the masters, who are required by the Act just passed not only to establish unrestricted freedom, but to let their steady, orderly and reputable dependents remain in undisturbed possession of their present habitations or houses, for twelve months to come, may, nevertheless, avail themselves of the right which the same Act gives them, namely, to expel from their estates such as shall be guilty of "insubordinate, quarrelsome, disorderly or riotous behaviour, or drunkenness, theft, trespass, or other gross delinquency."

 Thirdly.

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Thirdly.—That the obligations of free subjects of His Majesty The King, bind them to due obedience and loyal support to all who are here put in authority under The King, and with quiet submission to observe the laws of the land, and also to be ever ready to assist in suppressing and bringing to justice any evil disposed persons who may threaten to disturb the public peace.

Fourthly.—That the said first of August having been, by a proclamation from his Excellency the Governor, ordered to be kept as a day of public thanksgiving to God for His past mercies, and of humble intercession for the continuance of His gracious care and favour, it is confidently expected that the demeanor of those made free on that memorable occasion will be distinguished by the temperance, moderation and decorum that should mark the rejoicing of a christian people, whilst the fear of offending that Almighty Being whose power over the stormy wind and tempest we are taught at that season of the year especially to acknowledge, will deter them from every excess displeasing to Him, and endangering their own peace and safety.

Lastly.—As these individuals have heretofore enjoyed full liberty of conscience in serving God, and attending the means of grace afforded by the several ministers of the Gospel who have long laboured among them for their good, and who have made the most favourable representations of their civilization and fitness to enjoy the boon of freedom (which gratifying testimony was dutifully transmitted by the Governor, to be laid before His Majesty The King), so are they now solemnly called upon to remember and to maintain the conduct thus clearly pointed out to them in the holy Scriptures:

> "Submit yourselves to every ordinance of man for the Lord's sake: whether it be to the King, as supreme; or unto Governors, as unto them that are sent by him for the punishment of evil doers, and for the praise of them that do well. For so is the will of God, that with well doing ye may put to silence the ignorance of foolish men: As free, and not using your liberty for a cloak of maliciousness, but as the servants of God. HONOUR ALL MEN. LOVE THE BROTHERHOOD. FEAR GOD. HONOUR THE KING."—1 *Peter*, chap. ii. ver. 13 to 17.

Given under my hand and seal at Government-House, this first day of July one thousand eight hundred and thirty-four, and in the fifth year of His Majesty's reign.

GOD SAVE THE KING.

By his Excellency's command,

C. Taylor, Priv. Secretary.

Duly published this first day of July, one thousand eight hundred and thirty-four. } *Henry Berkeley*, Deputy Provost Marshal.

No. 161.

—No. 161.—

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice*.

Sir, St. Christopher's, 5 August 1834.

ADVERTING to my Despatches relative to the police establishment of Antigua, it is highly satisfactory to me, particularly with reference to the concluding paragraph of his last letter, to inclose for your information the accompanying copies of communications recently received from the President administering the government of that Island.

No. 1 & 2. 2 & 4 August 1834.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosures in No. 161.

Enclosures in No. 161.

No. 1.

Sir, Antigua, August 2d, 1834.

OCCUPIED as I presume your Excellency must be on the important occasion of your presence in another part of your government, I should not have trespassed upon your time, but from a conviction that your Excellency will be gratified to hear that the momentous crisis which was looked to with anxiety not unmixed with apprehension, has arrived and passed without any disturbance of the public peace or excess of feeling among the class of persons from which, if even in ebullitions of joy it might naturally have been expected, but that on the contrary, a calm and strict obedience to the solemn and religious observances prescribed by your Excellency's proclamation, appears alone to have actuated and pervaded the whole population, and in the hope that your Excellency's measures elsewhere will be crowned with equal success for the general tranquillity,

I have, &c.

To his Excellency Sir E. J. Murray M'Gregor, Governor-in-Chief, &c. &c.

(signed) *Sam. Warner*.

No. 2.

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Sir, Antigua, 4 August 1834.

I SHOULD not so soon have addressed your Excellency after my letter of the 2d instant, but that I have the satisfaction of informing you that this day on which there was some doubt of the negroes resuming their labours, they have with a very few exceptions made known to me, universally turned out on the conditions generally proposed and understood of 1*s.* per day to the able labourers, and 9*d.* to the second description, and I think there is no reason to suppose but that the whole will very soon come into the same terms.

In the hope of your Excellency's return to this Island, I thought it right to postpone the period appointed for the sailing of the express boat after the packet for 48 hours, that is, from Saturday last at 3 P.M. to the same hour this day, which I trust your Excellency will approve, as intended well; she did not, however, arrive till yesterday, so that the actual detention has been but short.

I am happy to tell your Excellency that the new police is in full operation, with vigilance and activity, and I may add with good effect.

I have, &c.

To his Excellency Sir E. J. Murray M'Gregor, Governor-in-Chief, &c. &c. (signed) *Sam. Warner.*

—No. 162.—

No. 162.

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Evan J. Murray M'Gregor*, dated Downing-street, 6 September 1834.

I HAVE received your Despatches of the dates and numbers mentioned in the margin, and I have also received a Despatch, dated the 6th August, from the president administering the government of Tortola.

1 Aug. 1834. Virgin Island, Montserrat & Nevis. 2 Aug. 1834. St. Kitt's. 5 Aug. 1834. St. Kitt's. 5 Aug. 1834. Antigua.

By these communications I am put in possession of the state of affairs during the first days of August in each of the Islands under your government, except Dominica, of which accounts have reached me direct from Sir C. Schomberg.

You will receive by the present opportunity, a Despatch written before the arrival of your present communications, in which I signified to you His Majesty's approbation of your measures. The further details with which I am now acquainted can have no other effect than to confirm me in the opinion that every thing has been done which was possible on your part to bring the great measure of Abolition of Slavery into safe and satisfactory operation.

Although I have to regret that the inaction of the negroes in St. Christopher's was continued up to the date of your latest Despatch, it is, on the other hand, very gratifying to perceive that the establishment of perfect freedom in Antigua, if it has risked in some degree the success of the apprenticeship system in a neighbouring colony, has at least had a most auspicious commencement of its own, and has led, without disturbance or struggle, to the employment of the negroes upon moderate, but as I should hope, adequate wages.

—No. 163.—

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice.*

Sir, Government House, Antigua, 29 August 1834.

OWING to my late absence from, and constant occupation since my return to Antigua, being without the means of estimating, from personal observation, the probable effects now in progress upon this community, of the sudden elevation of its peasantry from slavery to freedom; and desirous at the same time that no information, which if in my power to procure at a period so interesting, should be withheld from you, I have obtained, and beg leave to submit to your consideration the accompanying Report on passing events, from the superintendent of police, the details of which, as occasion may require, or as new features present themselves in the varying scene, will necessarily engage my earnest and anxious attention.

Some of the difficulties alluded to by the superintendent will, in all likelihood, gradually exhaust themselves, while others may eventually demand legislative remedies; but for the sake of all parties, and particularly of the labouring orders, whose general conduct throughout this unprecedented change of condition has hitherto redounded so highly to their credit, it is to be regretted that the Governor's forced seclusion from society at the most eventful crisis in West Indian history, entirely paralyzes the influence of the executive in their behalf, which might otherwise be actively and usefully exerted, on this important occasion, with the higher classes.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

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Enclosure in No. 163.

Enclosure in No. 163.

EXTRACT of a LETTER from *Henry Loving*, Esquire, Superintendent of Police, to Sir E. J. Murray M'Gregor, dated Police-Office, Head Quarters, St. John's, 27th August 1834.

YOUR Excellency's absence during the greater part of the month necessarily precluded you from being immediately acquainted with passing events in this Island, and affords me the advantage of compiling a more comprehensive report of the operations of the Slave Abolition Law of Antigua.

I have now the honour to inform your Excellency that I felt it expedient, from a sense of the high regard entertained of my character by the slave population, to address them on the 31st of July in the shape of a "public notice," which was printed and widely circulated, wherein I gave them much good advice, and endeavoured to reconcile their expectation on the score of wages with the standard which the planters had agreed upon, according to the extent of their ability to afford it. It is not my business to state the positive effects produced by this document, but I leave your Excellency to deduce your own conclusions from the sentiments expressed by one of our journalists who is the organ of the proprietary body; namely, that "the placard did good;" one of these public notices is sent herewith, as forming part of this report.

The eventful 1st of August arrived, proceeded and ended, without one circumstance of a public or private nature to agitate the frame of society, or to mark the transition from a state of slavery to that of freedom. There never was an occasion in this Island, not excepting the Sabbath, where a day was kept with such universal reverence and unbiassed holiness. Every thing appeared to be done from individual conviction that it was a season of no ordinary kind; and praise and adoration and thanksgiving to God were offered up by the whole people in the churches and chapels from eleven o'clock in the morning till eight at night.

The next day (Saturday) was spent by the labouring population in festive enjoyments. They had provided themselves, out of their own means, with new apparel from top to toe, and enough of good fare for every purpose; and I feel much pleasure in assuring your Excellency that they conducted themselves generally with christian propriety.

On Monday the 4th, the gangs on a few plantations went to work cheerfully for the stipulated wages, and on some other estates a trifling number of 10 or 12 labourers out of perhaps a population of between 100 and 200 might be seen in the field; while on other places the labourers altogether had ceased from work for the time. It appeared that the great majority of the peasantry were either bent on a whole week's relaxation, or were calculating how far they might benefit themselves by striking for higher wages on the places of their original domicile, or looking out for new and more beneficial channels for their industry. From that period to the present, a variety of changes from plantation to plantation have taken place among them, and on a few places almost the whole population have been interchanged by their own whim, the love of novelty, the predominance of self-interest, or dislike to their managers or other governors. From the last of these causes, I am to trace most of the difficulties which exist at this moment, in reconciling the peasantry to the new state of things.

Among the various causes which have led the peasantry to disagree with their employers, I may notice some of the most prominent; viz.

1st. The hour of turning out in the morning.

2dly. The collecting and throwing of green fodder for the horses.

3dly. The hour of breaking off work in the evening.

The head quarters of my department has been constantly engaged in hearing complaints or giving advice upon these several heads, and as the law does not refer to either of them, I have taken great pains to impress this upon the minds of the complainants, and to point out that the only remedy afforded them as free men, was to leave their then employers if they could get better terms elsewhere. They have invariably abided by my counsel, and in some cases have resumed their labour on the same plantation, without any palpable discontent.

With respect to the first of these causes, I am to inform your Excellency that it has been created by a want of union among the planters, who, though their interests would appear to be alike, are at variance in their respective plans, according to the view which each of them takes of benefiting his own property. Thus, the humane man requires his labourer to turn out at sun-rise; the middling man rather earlier, and the rigid old school colonist at peep of day, agreeably to the private advice conveyed in a note from an attorney to his manager, "*not to abate a tittle of old customs.*" The watchful and suspicious mind of the peasantry soon discover the contrast, and disagreement quickly follows between them and the more illiberal class of employers. I am of opinion that the people will never consent to commence work before sun-rise in this inhospitable climate, now that they are free; and unless the planters will come into the measure generally, I see no hope of permanent reconciliation.

With respect to the second cause, that of collecting fodder, the practice under the old system was for the people to do so during the two hours said to be allowed them for dinner. They have now withstood the renewal of it, and the planters are giving way in most quarters to the remonstrance, because they find it impossible to overcome it, and some are paying for the supply of fodder, while others allow the people extra time to collect it.

With respect to the third cause, that of breaking off work in the evening, an attempt

was

was made by the peasantry to reject their breakfast and dinner hours, and to work incessantly from the morning till four o'clock in the afternoon, then to cease from labour for the day. The impossibility of their constitutions being able to support it, and the certainty of its ruining the plantations, was opposed to their views, and they gave up the point after a short but obstinate struggle.

Another class of complaints is the aged and infirm, whose circumstances are humanely provided for in the law. I am happy to state that these are rendered very comfortable on many estates, but I am equally sorry to report that this is not the universal practice, and I have had my office thronged more than once with age and disease applying for relief. I have had comparatively fewer of such applicants from day to day, and am in hopes that their circumstances generally are improving; but as such cases are more deserving of notice than any others, I shall be zealously watchful over the interests of that unfortunate class of beings.

There is one circumstance relating to the cultivation of the soil, which I deem of great importance to bring to the knowledge of your Excellency. I find that with some estates the parents are sending off all their children, male as well as female, to live in the towns, which are already populated beyond the means of support. This fact of itself would be alarming enough, but the alarm must be largely increased, when it is remembered that these detached children of from five to twelve years of age are the sprouts of an agricultural people, and that being once lopped off, the soil must be gradually abandoned as the parent roots shall cease to exist.

Another class of evils likely to arise to the welfare of this Colony, is the fact of several slaves from the neighbouring French island having arrived here since the first of the month, and of their having reported that thousands are preparing to follow so soon as they can escape. I sincerely desire to see these people free and prosperous; but absolute pauperism and ruin would be the result of their being permitted to remain in this little Colony.

Upon the whole, and as it relates to the state of things generally in the Island, I shall conclude this report by stating that the labouring population have hardly been guilty of any acts of illegality since the day of their emancipation beyond those of common misdemeanors, such as would happen in the best regulated societies of any country; that they are gradually resuming their former occupations; that one-half of the effective strength may be computed to be at work; that the remainder have either given up agricultural pursuits altogether to better their condition, or are wandering up and down the country in quest of work where they may procure it upon the best terms; and some, it is needless to say, are confirmed idlers and vagabonds from principle, and must be subject to the operation of the police laws; while others have been expelled from certain plantations, by legal authority, from one cause or another, at the instance of their employers; but in several cases a portion of these have returned, made suitable concessions and been forgiven.

There have been faults on both sides, but it would be culpable omission in me not to express the high sense I entertain of the meritorious conduct exhibited by the greater part of the resident proprietors and the representatives of absentees, in conciliating the affections and leading the minds of the peasantry to the right use of the blessings of freedom.

I shall lay before your Excellency the state of the calendar at the end of the month, and shall take that opportunity to mention the number that have been expelled, provided I can get the necessary information in time.

I have, &c.

(signed) *Henry Loving*, Superintendent of Police.

PUBLIC NOTICE.

In pursuance of the power and authority vested in me, under the Act of this Island for the establishment of a new and more effective system of police, I do hereby give this Public Notice to all whom it may concern, that I shall proceed forthwith to carry the law into effect to the best of my ability and judgment, without fear, favour or affection. And I take this early opportunity to advise every class and description of persons, without reference to their rank or condition in life, to demean themselves as good men and faithful subjects of the King, in order that the peace of society, and the prosperity and happiness of every member thereof, may redound to the credit of Antigua all over the world, and to the honour and glory of Almighty God.

To the labouring population especially I would offer a word in season. They are aware that I am nearly related to them; that I have been their stedfast friend. Let me, therefore, beseech them, by that connexion and friendship, to be peaceable, harmless, frugal, industrious, obedient to their superiors, lovers of religion, lovers of good works. Let them remember, that though they may be called upon by their Maker to pass through many trials and adversities hereafter, yet their new state of life will be as far superior to their past condition as daylight is to darkness; and that all freemen in every country are subjected to numerous rules and regulations to guide, direct and govern both their private and public conduct; and moreover, that a freeman must of necessity be a great slave to himself, that is, he must become a slave to his back, a slave to his belly, a slave to the wants of his wife and children, and to every other domestic comfort.

But above all, let them reflect, that while they are to be exalted to the proud station of freemen, their brethren in the other sugar colonies are still required by the legislatures of those places to serve as apprentices for the next six years. What then are your advantages over theirs? You have good sense enough to answer the question yourself; but permit me to tell

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tell you, that if you show yourselves worthy of freedom, it will be the means of helping your brethren in those Islands to obtain their liberty likewise, because their masters will find that the people of Antigua are more industrious, contented and happy than they, and the soil better cultivated than theirs.

Under the present embarrassed circumstances of the plantations in this Island (most of them being mortgaged), it is not probable that the persons in charge of them can offer to the labourers a large rate of wages for the present; though I feel confident they will increase the price of labour as soon as the numerous tracts of waste lands begin to be cultivated, and they shall have found things working well on the sugar estates, and their profits increasing under a new and happier state of society. I am consequently obliged, again and again, to admonish my labouring friends to be quiet and satisfied, and to console themselves with the reflection, that if a wise and just Providence has done so much for them already, HE is still able and willing to give them all they desire, provided they will wait with patience for the blessing.

If any discontented labourer can better his condition, or get larger wages by going on a strange plantation, let him do so by all means: Or if he can be profitably employed in any of the towns, let him take the situation, for the law does not prevent him. On the contrary, if he cannot obtain large wages, and will not work for small, he must either starve, or become a burden to society. But will the law permit this burden? No, no! If he be found idling either in town or country, he will be taken up as a vagabond, sent to the house of correction, and worked upon that terrible machine called a tread mill; and in all such cases, the police under my command throughout the Island will pursue and apprehend such characters, not allowing them a moment to enjoy their idleness.

Perhaps it may be better for me to explain myself more fully on several important points.

First.—The King and Parliament of England made a decree last year, that the slaves in the West Indies should serve their masters for six years longer.

Secondly.—The Council and Assembly of Antigua objected to this; because they had a high opinion of the slaves, and they went farther than the King and Parliament. They gave the people their freedom at once.

Thirdly.—They passed an Act for the purpose, and they have gone even beyond the expectations of your best friends: they have allowed all your people who are old and infirm, and all who are afflicted with any disease which will prevent them from working, food, clothing, lodging, medicine and medical attendance, until such time as the parish can provide for them. They have allowed all the country people, whether old or young, healthy or diseased, to remain in their present habitations, without any rent, for twelve months, from the first of August this year till the first of August next year, provided they will perform their work for such wages as the planters can afford to give them, and provided they are not guilty of riotous behaviour, drunkenness, theft or any other diabolical act.

Now listen to my opinion on the subject of your wages, and you will be sure not to get into trouble and mischief. I have given the subject much thought, and I am persuaded that it is impossible for more than one planter out of fifty to give you above one shilling money per day for the strong people, and one bitt per day for the younger folks, or for those who are infirm but can still do light work. It would take a moderate sized estate, at this rate, not less than fifteen hundred pounds per year, for wages alone, besides the maintenance of the old people, and the doctor's charges; the payment of manager's and overseer's salaries, and all the repairs and wear and tear of a plantation, from the mill down to the cattle pens. Some planters have been giving two shillings lately, but it was only for a moment; and when slavery is abolished they will never do it again, except they are hard pushed for labourers, but that will be only now and then; whereas it is better to work for one man all the year round for one shilling per day, than for another who will only want your services for one or two months at two shillings per day. Besides this, I must tell you further, that if a labourer leaves one plantation to work on another, he must look for a new house, new gardens and grounds, wherever he carries his labour; for his old master will not suffer him to make a convenience of his property.

Finally, may you, my labouring friends, never put it in my power to be ashamed of you. I shall be ever ready to protect and do you justice while you act like christians. But when you forget your privileges as freemen, and become disorderly and unreasonable, I shall be compelled, with a heart full of grief and a mind big with regret and confusion, to do my duty as a public officer without fear, favour or affection.

St. John's, July 31st, 1834. *Henry Loving*, Superintendent of Police.

No. 164.

—No. 164.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 14 October 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of the 29th August, enclosing the Report of the superintendent of police.

I am quite aware of the very peculiar and responsible duties which have devolved upon you, in consequence of the state of the Island of St. Kitt's; and I fully appre-

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ciate the earnestness and zeal which you have manifested under circumstances of a very trying nature.

The account which is conveyed to me by you of the conduct of the labouring classes, redounds greatly to their credit; and will, I hope, lead to results as important to them as to the Colony generally.

The report which you enclose is generally able and judicious, and it is gratifying to find that in the superintendent of police you possess so useful and intelligent an officer.

I conceive that your early attention should be directed to his statement with respect to the possible introduction of foreign fugitive slaves into the Island of Antigua. Although such persons, whilst within the British territory, are free, it is fully competent to the authorities at Antigua, to consider whether step administrative or legislative may not be requisite to prevent such fugitives from producing a state of vagrancy and irregularity which may be dangerous to the well-being of society.

I have, &c.

(signed) *T. Spring Rice.*

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— No. 165. —

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice.*

Sir, Government House, Antigua, 4 October 1834.

UNDER reference to my communication of the 29th of August, another report from the superintendent of police is herewith presented for your information, regarding the agricultural classes of this Colony.

The clergy, magistrates and proprietors have been consulted by me upon the most eligible mode of promoting the mutual and inseparable interests of the employers and the employed; and the result of the inquiry, as soon as circumstances permit, will be duly laid before you.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 165.

Enclosure in No. 165.

Sir, Police Office, Head Quarters, St. John's, 1st October 1834.

THE close of another month since the abolition of slavery in this Island, makes it necessary that I should communicate to your Excellency the information I possess, and the opinions I entertain, on the state of the agricultural affairs of the Colony.

I had entertained the most sanguine hopes that the new system would have produced a double share of advantages to the planters generally during the past month, in comparison to what it did in the preceding one; but I regret to say that this has not been the case, and the evil, in my opinion, may be traced—

1st. To the absence from the plantations of many hundreds of male adult labourers who have thrown up their former occupation and become fishermen and fish-pot makers, bargemen, watersidemen, porters and house servants, on the coasts, and in all the harbours and towns. As it regards the porters, whose numbers are known by their badges, I find that they have increased at the rate of 300 per cent. since the 1st of August. This accession naturally leads one to inquire how far these people may be able to earn a livelihood where competition is so great? The answer is both easy and correct. Portions of them are to be seen daily congregated about the streets in almost perfect idleness, hardly earning in 24 hours wherewith to keep soul and body together, and only saving themselves from the operation of the Vagrant Act by the possession of their badges. Of the watersidemen it may be stated that their number has increased at the rate of ten to one, and all from the plantations. They are a species of hangers-on at fishing places; and I have been informed by the magistrate recently appointed for Five Islands Division, that two days ago he dispersed a body of not less than 60 of these people, who had assembled on one of the bays waiting the arrival of the fishing boats to pick up a few crabs, or the like, rather than earn their bread in an honest laborious way. The end of this will be that those who emigrated from the plantations will be driven either to return to their original occupations, or (what I am more apprehensive of) become depredators on private property, or sink into a state of mendicity and worthlessness arising from habits of idleness and vice, and thus give employment to the public executioner, assist to increase the expenditure of the country, or to burthen the parishes to an alarming extent. This will also probably be the case with many of the new class of house servants.

2dly. To the absence from the plantations of the youth of both sexes. I had the honour to advert to this subject in my former Report to your Excellency as an evil of great magnitude;

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nitude; and I regret most sincerely that I do not perceive how their restoration could be effected by any legislative enactment. The parents of these young folks eagerly embraced the arrival of their freedom to dissever them from an agricultural life, under the now ridiculous impression (engendered by a state of slavery) that it was the most disgraceful of all situations; and moreover, that they might receive a town education, embracing of course, all that artificial consequence, that love of dress and hatred of laborious occupation, which has been hitherto the cause of real want and misery among a large portion of free negroes, or their coloured descendants, in this and every other town of the Island.

3dly. The predilection entertained by the adult female labourers on the plantations to work a irregular periods during the week, and to fill up the vacant time by huckstering, or going to market to dispose of any pulse vegetables or other roots they may be able to collect from their grounds, or elsewhere, to the value of, perhaps, a few pence; or wood and green fodder taken from the employer's soil without permission. In this way three days have been known to be consumed in the course of one week.

4thly. The want of any thing like union of sentiment or action among the planters, as to the best means of improving the industry or ensuring the constant residence of the labouring population.

And here I may venture to observe, without the fear of contradiction, that the unsettled state of the agricultural interests is greatly owing to the diversity of opinions and regulations adopted on the different plantations. While some planters are holding out trifling auxiliary rewards beyond the pecuniary rate of wages, others have neither the ability nor the inclination to do so. While some are exacting the periods of labour to a very minute, and turning back from the field all those who came to it a moment beyond the stipulated time, and warning them not to return for the remainder of the day; others are carrying on the cultivation with more certain speed and good will by winking at these delinquencies, and allowing the people who entered late to be paid according to the extent of their labour. While some are evicting a father, mother, husband or wife, others are wise and politic, and humane enough to foresee that the near relatives of the evicted party will follow them as a matter of course, and leave the plantations destitute of many hands in the attempt to be rid of a few. While some are encouraging the family women to remain by appointing an old nurse to feed and care their babies in the hours of business, others are opposed to this plan; the employers and mothers mutually disagree, and eviction of the latter is sure to be the consequence.

Passing over the first evil, namely, that of the absence of the male adult labourers, and going to the second, that is, the absence of the children, I would suggest to the planters to attempt a cure by the establishment of a school on each estate, and the election of a teacher by the people from among themselves. Also, that over and above any gratuity which may be allowed him by the planter, a subscription of one penny halfpenny currency per week be given him by each scholar, in order to create in their minds, as well as those of their parents, a degree of pride resulting from these contributions, and to give them a greater interest in an establishment where the master and pupil are mutually dependent on each other. This plan might be the means of enticing back a portion, at least, of the boys and girls, who, like all other children, are fond of being at home; and the planter, proceeding from one stage of sagacity to another, would thus obtain the labour, while he assisted the education, of the rising generation, by apportioning the day so as to meet the wants of both branches.

The remedies for the third class of evils suggest themselves to my mind as follows: The Act for compelling travelling hucksters and pedlars to take out a licence of eight dollars per annum, will check, to a considerable extent, the practice of the labouring women of adopting this uncertain mode of life. The Act for apprehending persons selling wood and green fodder without a written permission from their employers is now operating beneficially under the superintendence of my department, and many idlers who gained their daily subsistence by stealing these articles, are now in a fair way of resuming their rural occupations. Above all, nothing, in my opinion, can provide against the labouring women, or in fact any other description of labourers, dancing attendance at market on every frivolous occasion, but a legislative enactment to establish a general market day once a week for the supply of articles the growth of plantations, except in cases where the employers find it politic or expedient to allow certain persons to carry provisions to any town, with a written permission to dispose of the same.

The fourth evil, that of a want of union or system among the planters generally, rests with themselves to remedy: but I must repeat, that their desultory measures and opinions have been exceedingly detrimental to the advancement of general industry and permanent tranquillity. I am not sufficiently acquainted with agricultural pursuits to lay down any plan whereby the present state of things may be improved. I know there are many gentlemen of the proprietary body who are both mentally and practically capable of doing so, and I trust, that the information which your Excellency has desired from the planters generally may lead to a conclusion which will answer the great objects that are contemplated at this moment in your communication to them.

Notwithstanding this, however, I am constrained to submit that nothing but a contract by the week or month, between the planters and labourers, can insure the steady working of the latter, and although there may be some objections to this plan, it is still far preferable to the day labour or to job work. The former is proving itself to be unproductive of good. The latter would have this evil tendency, that after the performance of one job, the labourers would

would consider themselves at liberty to spend their earnings by it ere they undertook a new contract, and there is no telling what mischiefs might befal them in the mean time.

I had almost forgot to mention to your Excellency a fact which came to my knowledge a few days since, and which will go far to prove that a want of uniform system must produce good to one planter while it ruins another, and mars the certainty of general benefit to the landed interests. There are three estates contiguous to each other in Five Island Division. On one of these, the family women are all at work, because their children are nursed. On the others they are not at work, because the reverse of this system is practised. Five hours labour per diem for each woman has been gained by the former, and the same number lost by the latter. The inference speaks for itself.

In conclusion, I feel it a pleasing part of my duty to inform your Excellency that the progress of crime is quite below the level of what it might have been contemplated under the existing circumstances of the Colony, and I am in hopes that a vigorous administration of the laws by all the public authorities will tend to cement the peace, and advance the prosperity of every class of society.

I have, &c.

(signed) *Henry Loving*, Sup[t] of Police.

— No. 166. — No. 166.

COPY of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Colonial Office, 27 December 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of the 4th October last, and I have to acquaint you, that I have read with great interest, though not without some anxiety, the very sensible report of the superintendent of police respecting the class of agricultural labourers in Antigua. I should be prepared to observe upon this report more fully, were it not that I consider it expedient to wait the result of the inquiry of the clergy, magistrates and proprietors noticed by you. I fully approve of your having opened this communication with them, from the policy and indeed the security of obtaining the co-operation of those classes of society in all measures which may be demanded by the state of the Colony.

I have, &c.

(signed) *Aberdeen*.

— No. 167. — No. 167.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Government House, Antigua, 2 December 1834.

I TAKE the liberty of presenting to your consideration a report by a committee of His Majesty's Privy Council on the present situation of this Colony, and on the best means of promoting its prosperity, and of encouraging the peasantry in habits of industry.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 167. Enclosure in No. 167.

EXTRACT of a Report to Governor Sir *E. J. Murray M'Gregor*, by the Council of the Island of Antigua, dated 22 November 1834.

THE members of the Board of Council appointed as a committee to report on the present situation of the Colony, and on the best means of promoting its prosperity, and of encouraging the peasantry in habits of industry, beg leave respectfully to submit to your Excellency's consideration the following remarks, the result of a review of the various Reports of magistrates, proprietors and directors of plantations, laid before them by your Excellency's commands, as well as the fruits of their own observation and experience, during the three months which have elapsed since the great change in the altered relations of our society.

The committee, in commencing their task, deem it due to the negroes of Antigua to remark, that the boon of freedom was received by them with a sobriety of demeanor and expression of religious feeling most creditable to the newly enfranchised; apparently, however, unmixed with any demonstration of gratitude to their late owners, as persons principally concerned in the transaction, so far as the curtailment of the apprenticeship might have

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have been supposed to have affected them; nor did the recollection of the past, either of good or ill, seem to interfere with the great question at issue, the cultivation of sugar by free labour.

Instances of attachment to some directors, and dislike to others, might be found, but in the former case, at the precise moment of the alteration of our system, rarely subduing the objection to the wages tendered, and the disinclination to field-labour exhibited; and in the latter case, scarcely influencing farther than the rejection of the same terms, or the abandonment of dwellings, when measures too hasty for the period alluded to were injudiciously, although legally pursued.

The aversion to agricultural labour, and the erroneous ideas cherished on the subject of wages, formed with the bulk of the population the first difficulty to be overcome; and when it is remembered, that during the reaping of the last crop, many individuals deemed it advantageous to the interest of plantations to give the field-labourer two shillings for his Saturday, besides a ration of food and rum, much allowance must be made for the stand taken by the working classes in August, bitterly disappointed as they were on learning the first class labourer could only expect to earn one-half the above amount per day, and the second class labourer but 9*d*.

Your committee would not be understood from this statement of facts, to infer they believe the wages to be other than liberal, in connexion with attendant advantages universally offered, namely, medical care, house-rent and provision-grounds, nor to imply the rate quoted was the substance of a positive preconcerted agreement entered into by directors of plantations; although, undoubtedly at the meetings of the agricultural society, which were held before the 1st of August, the amount of wages was fully canvassed, and the rate mentioned laid down in argument by practical planters, as the maximum that could be afforded on careful calculation; the understanding was, that it would be generally acted upon, and with some exceptions, according to particular interests, it may be said to have prevailed.

Under such circumstances it was not to be wondered at then, that few labourers appeared in the fields until the middle of August, that dissatisfaction should be loudly expressed, or that those who never meant to return to agricultural toil should avail themselves of the grounds of dissent. Nevertheless, as towards the close of the above month, the number of labourers at work had very much increased, it might have been supposed the sums specified (objected against as too little) would have furnished sufficient stimulus to industry; but unfortunately it soon appeared that the wages of three days, enabling the labourers to spend the rest of the week in idleness, with their improvident habits and utter disregard of the future, they could not be depended on for continued industry, and the secret outbidding of various persons in absolute want of labourers from the peculiar position of estates under their superintendence, reckless of the consequences to the community, or the disasters they brought down upon the heads of those they enticed from their proper homes, without being prepared to furnish them with dwellings, occasioned a desultory irregular attendance at field-work, and evictions consequent on such proceedings—legal, but mischievous in the extreme.

An exercise of newly acquired rights was to be expected, and may account for the preference at first given by the labourers on such plantations to work away from the surveillance of their former directors; and provided the strength generally in the fields had not been below the wants of plantations, no great injury might have been sustained, and the caprice left to its own termination. But your committee lament to say, on examining the Returns of 80 estates made up to the 1st of October, it appears that more than one-third of the labouring population of Antigua (particularly the males and young persons of both sexes,) have absolutely withdrawn altogether from agriculture; and it is notorious the adult women are now and have been, since the 1st of August, the persons chiefly concerned in carrying on the cultivation of the Colony; the children having been sent off the plantations to schools in the various towns, or placed elsewhere with the view of following hereafter other occupations than those of agriculture, thereby destroying the germ of the future prosperity of the Island as a sugar colony.

It is evident that a great portion of the males have become fishermen, fish-pot makers, waterside-men, porters and house-servants; living in want and idleness, rather than return to field-labour. The decline in the cultivation of the Island, especially in ground provisions and the preparation of cane land for 1835, in so short a space of time as three months is distinctly marked, and can thus easily be traced to the combined operation of indolence and aversion to agricultural labour, on the part of the newly enfranchised; for it is observable that two days out of six are, in a certain extent, lost to labour on the part of those who now work; few persons hiring themselves on Saturdays, and a great deficiency of labourers appearing also on Mondays.

Unhappily, a sense of degradation has hitherto attached to field-labour, in addition to its laborious details. The instructions of His Majesty's Government, on no account to allow African apprentices to be brought up to agricultural pursuits, and the practice of removing from it coloured children, have strengthened the impression naturally to that degree; it is clear nothing but necessity or distress is likely to induce the population to follow it as a means of livelihood.

It is in vain to attempt to carry on the cultivation of sugar by the temptation of high wages, because this article, which alone from its value and capacity of withstanding frequent seasons of drought, can maintain this Colony in its former condition, will not bear the cost of such production in the market of the world, and because the very obtaining the same by the labourer, with his present feelings and disregard of the future, incapacitates him

him from continued industry, without which a sugar plantation cannot be carried on. In proof of this observation, has already been mentioned the irregular attendance of the working classes under the rate of wages universally given, namely, the shilling, and the bit, or ninepence; the gain of three days enabling the labourer to spend the week in idleness, or other occupation than husbandry.

The labour of freemen, it is taken for granted throughout the Western world, must be more expensive than that of slaves. In corroboration of this opinion may be instanced, the amount of weekly wages paid on each plantation since the 1st of August, nearly equal to the former expenditure as issued in provisions, but distributed among a far less number of persons, and by no means in proportion to the work performed, which has been negligently executed, no remedy existing; the demand for labour being so great that dismissal has been no punishment, and the most worthless labourer could find fresh employment at any hour of the day, wherever he chose to go. The consequence of this extraordinary position of things must be general distress at no great distance of time, and it is only from the re-action, occasioned by distress, your committee can see a removal to those impediments to cultivation which threaten to ruin this Colony. If it were possible to remove from field-labour the sense of degradation, or by holding out public encouragement to turn a portion of the tide of emigration of the peasantry of Europe into this quarter, and hardy agriculturists from Great Britain, or elsewhere, could be induced to locate themselves and families, in sufficient numbers, to undertake a portion of the manual labour required in the performance of the various duties of the manufacturing of sugar, or the tilling of the soil, an impetus might be given to the black population, productive of benefit to the community, inasmuch as they would entertain a higher idea of occupations, up to this time held in contempt by the free negro; and if the experiment failed of success, as far as the negroes were concerned, this Island might not become a desert.

Your committee impute the advancement in ploughing, and other operations in husbandry in this Island, entirely to the introduction of indentured ploughmen from Scotland some years ago, whom the negro was then accustomed to see holding the stilts in the field. This class of persons have risen to superior situations, and are at present nowhere to be seen; but the influence of their example still renders an employment with the plough to be esteemed by the negro very differently from any other operation in husbandry. The expense of the plan suggested, however, presents serious obstacles to its entertainment, only to be removed by aid from His Majesty's Government.

(signed) *Wm. Byam.*
Paul Horsford.
G. Savage Martin.

— No. 168. —

No. 168.

Copy of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 28 February 1835.

With reference to your Despatch of the 2d December 1834, and the accompanying copy of a report from a committee of His Majesty's Privy Council, I beg to assure you, that the subjects therein recommended to me have been under serious consideration.

The statements of the Privy Council relative to the prospects of the Island during the then approaching crop are certainly serious, but several reasons may be assigned which appear to render it unadvisable for me at present to deliver a definite opinion upon the remedies proposed. In the first place, I do not find that you have given them your sanction. You have, it is true, assented to an Act of the Legislature intended to provide additional guarantees for the industry of the labourers during the present harvest; and as your Despatch of 30th December 1834 acquaints me that their conduct since their emancipation has been "in the highest degree creditable," and expresses no apprehension for the ultimate safety of the crop, I must of course assume, that whereas in case of necessity you would have added to the weight of the opinions of the committee that of your own unequivocal concurrence, your refraining from that course implies that in your view no such necessity exists.

That Act has, of course, been tried on its own merits; but it is clear that I am not yet in a condition to recognize as substitutes for such of its provisions as have been deemed objectionable, and have caused its disallowance, others which have come to me under an inferior though respectable recommendation, and which embrace a much wider field, with many more modifications of principle, both political and commercial.

Nor do those indirect and inferior sources of information to which, in the absence of more full immediate communications from yourself, I may advert, at all impress me with the belief that the labouring population of Antigua are in a state of general reluctance to conduct the accustomed agricultural and manufacturing operations.

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I observe further, that in the report of Mr. Holberton on the religious instruction of the Island, he states it as a fact, apparently unquestioned, that the labourers were earning sixpence a day. If this be the case then, since the date of your Despatch of November 1st, and the accompanying Report, in which the wages are stated at one shilling, and at nine-pence, for two several classes, there must have been a very material increase in the supply of labour, more especially when it is considered that the season of the year at which this latter account is dated would cause an ample demand.

And, on the other hand, the serious nature and the large number of the remedial measures proposed, together with the doubts which have arisen in my mind whether some of them may not justly be deemed to trench too much upon the newly-acquired privileges of the negroes, and the uncertainty which, or whether any of the long list may still appear to be required by the condition of the Island, make me hesitate in pronouncing a decided opinion upon them in detail.

With reference, however, to the general principle which is to be regarded in all enactments affecting the labouring population, I beg to call your attention to the circular Despatch of 19th October 1833, in which my predecessor, Lord Stanley, declares, that His Majesty will not consent to the establishment of an intermediate state between the apprenticeship and freedom, other than a modification of the apprenticeship itself. It will follow, that whatever Bills may be passed to secure the industry and good conduct of the population, must not affect the emancipated negroes as such, but deal with them impartially as with others, according to the ordinary circumstances of their social condition.

As regards, however, one of the topics to which the Report adverts, namely, the discredit which is brought upon agricultural pursuits by the prohibition of the Government to apprentice the liberated Africans to field labour, I can have no hesitation in expressing my desire to co-operate with the Legislature of Antigua in any measures otherwise unobjectionable, which may tend to establish in repute the cultivation of the soil.

No documents in which such prohibition is conveyed can be discovered in this office; but I may safely say, that the circumstances to which it was adapted being changed, the prohibition itself need no longer be maintained. However necessary it may have been, when slavery existed, to preclude any risk of confounding the freeman with the slave to the detriment of the former, it is as clearly unwise in my judgment, in the present condition of the Colonies, to inflict upon the due and natural occupation of freemen the stigma which attached to servile employment. It will be well (whether this observation may or may not have immediate reference to any regulations at present exising in the Island of Antigua) that no orders established in conformity with the prohibition of which the Report complains, should be suffered any longer to exist; but then the utmost care must be taken (and I am confident I may intrust the subject to your integrity and solicitude), that in no case which has arisen or may arise shall any apprenticeship be legalized, under conditions which interfere with the necessary rights of a free population, or which would tend, in a state of society I trust more healthy and advanced, to reintroduce the institutions or to revive the remembrance of slavery. The subject of procuring labourers for the West Indies from other parts of the world is under the anxious consideration of Government; and I shall receive with satisfaction the proposal of any specific plan which you or the subordinate authorities of the Island may deem calculated to operate beneficially in that view for the Colony over which you preside.

You will not, I am sure, be led to infer, from any thing I have stated, an indifference on my part to the prosperity of Antigua. I recognize on the largest sense those claims to the sympathy and support of His Majesty's Government which must be possessed by a community placed by its own courageous act in the van of an enterprize as novel as it is interesting and important.

I have, &c.

(signed) *Aberdeen.*

—No. 169.—

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No. 169.

Copy of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Government House, Antigua, 30 December 1834.

By the present packet, I do myself the honour of forwarding transcript of an Act passed by the Legislature of this island; viz.

"An Act for regulating Special Contracts between Labourers and their Employers, and enforcing a strict observance of such Contracts."

Act printed in the Appendix (B.) No. 21.

The object of this Act is to regulate special hirings for service in husbandry, as distinguished from general hirings in the mother country, and enforce a strict observance of them by both parties, through the medium of summary convictions. These contracts have been limited in their duration to a twelvemonth, and required to be entered into in the presence of two or more witnesses, in order to protect the labourers against being overreached by designing persons.

In the absence of such special hirings, the labourers and their employers would be left to the ordinary legal remedy for breaches of implied contracts.

With a view as well to obviate the difficulty that might otherwise arise in the breast of the magistrate as to the particular offences which ought to be held to involve a virtual breach of the relative obligations imposed on the labourers by these special hirings, and the measure of punishment which should be assigned to them respectively, as to distinctly apprise and warn the latter of the penalties to which such offences should subject them, the 2d, 3d, 4th, 5th, 6th, 7th, 8th, 9th and 10th clauses of this Act are taken, almost word for word, from the draft of the Order in Council for British Guiana, which was proposed by the Earl of Ripon in his communication with the West India body, as a model for the adoption of the Colonial Legislatures, in the event of a general emancipation.

The 11th clause enables a magistrate to order arrears of wages to be paid, with costs, and inflict a penalty for the breach of contract on the part of the employer, as also to discharge the labourer from his contract, on proof of ill usage.

The 12th clause is calculated to remedy the evil of drawing off labourers from the estates on which they are located, and generally employed to work for a short time upon increased wages, and leaving them to a precarious subsistence, after having thus induced them to forfeit their previous claim on their former masters; and the enactment is considered consistent in its principle with the common law of the mother country, under which it has been ruled, that a person who contracts with another to do certain work for him is the servant of that other till the work is finished, and no other person can employ such servant to the prejudice of the first master, the very act of giving him the means of keeping out of his former service.—Blake & Lanyon, 6 Term Rep. 221.

The 13th clause provides for the recovery of wages, costs and penalties, and application of the latter.

The 14th clause obviates any idea of its being in the contemplation of the Legislature to prevent persons from employing labourers, under less formal agreement, by the day or piece, on any particular scale of wages that might be more generally adopted by the planters, it being understood that the labourers so employed would not be subject to the penal provisions of this Act; that, in short, if they faithfully perform their stipulated work, they will be able to obtain their wages by the adjudication of a magistrate, under another recent Act of this Island, for enabling labourers, artificers and servants to recover, by summary process, their wages from employers, and that, in the event of their failing in their engagements, their employers will, of course, have the right of withholding their wages, without possessing the means of otherwise punishing them more effectually for their defaults or delinquencies in service.

The 15th clause explains who shall be considered as labourers within the meaning of the Act.

The 16th clause limits the duration of the Act to a twelvemonth.

I have, &c.

(signed) *E. J. Murray M'Gregor.*

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—No. 170.—

No. 170. EXTRACT of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice*, dated Government House, Antigua, 30 December 1834.

IN my Letter of this date, the transcript of an Act is forwarded, with its summary, intituled, " An Act for regulating Special Contracts between Labourers and their Employers, and enforcing a strict observance of those Contracts."

Ever since the abolition of slavery, the demeanor of the labouring population in this Island has been in the highest degree creditable; and it is not to be wondered at, on so unusual an occasion, that experiments should be resorted to by them with the view of bettering their condition, and that of these, in consequence of their inexperience in their new element of freedom, many should turn out to be injudicious and ill-selected.

Love of novelty, indolence, caprice, repugnance to agriculture, from having been formerly constrained to engage in it, dissatisfaction with their employers, desire of gain unwisely excited by planters bidding against each other with offers of superior wages, have conspired to generate mutual want of confidence and mistrust between them, and in too many instances to encourage the former in unsettled habits, which it is highly desirable, by every legitimate means, to obliterate and remove.

In such a state of things, it is not perhaps very easy to legislate correctly; and I have been under the necessity of rejecting a Bill, recently presented by the Council and Assembly, " to ascertain more clearly the obligations of labourers in husbandry," &c., certain of its clauses, however well-intended, appearing to militate against the rightful privileges of the latter.

The duration of that now substituted, being limited to a year, and the absence of some legislative provision during crop time, threatening injury to the agriculturists generally, I am disposed to hope you will not see reason to object to it, as a temporary arrangement, until your sentiments can be conveniently communicated, so as best to reconcile the present diversity of opinion amongst the members of the local Legislature, and to indicate such remedial measures, for the common advantage of the landowners and peasantry, as to you may seem most fitting and appropriate.

—No. 171.—

No. 171.

COPY of a DESPATCH from the Earl of *Aberdeen*, to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 28 February 1835.

I HAVE received your Despatches, dated the 30th of December, enclosing an Act passed by yourself, and the Council and Assembly of Antigua, for regulating special contracts between labourers and their employers, and enforcing a strict observance of such contracts.

This Act has been transmitted to His Majesty in Council, for His Majesty's decision. But adverting to the importance of the subject to which it relates, and to the necessity of the attention of the local Legislature being promptly recalled to it, I will not postpone until the completion of the requisite official forms, the communication which it becomes my duty to make to you on the various provisions of this law. I have thought this Act worthy of more than common attention, when regarded as a precedent which may not improperly be quoted and pursued in the other British West India Colonies, when the state of apprenticeship shall have reached its close. By the anticipation of that period, the Island of Antigua has earned for itself this, amongst other distinctions, that the enactments which may be framed there for the government of a society in which slavery has given place to unqualified freedom, will probably pass into a rural code for the rest of the Colonies embraced in the Slavery Abolition Act. They, therefore, possess a still higher interest than if they were destined to influence the condition of the emancipated population of Antigua alone.

First, then, I observe that the legal consequences are carefully defined of the special contracts which may be entered into between labourers in husbandry and their employers. Considering how much of the force of all the subsequent enactments depends upon the sense in which the term special contract shall be understood, it appears to me that it ought to have received some precise legislative definition. I presume the intention to be to point to the usual distinctions between those

those express agreements which men make with each other by words written or spoken, and those which, from the nature of their conduct or mutual dealings, they are, by a legal fiction, supposed to enter into. If this conjecture be well founded, the question might and ought to have been placed beyond the reach of doubt. If by a special contract be meant, as the words thus interpreted would require, any direct engagement, though not reduced into writing, then, I think, the use of terms so comprehensive was plainly objectionable. Adverting to the relative condition of the contracting parties, the prevailing ignorance and want of foresight, and general poverty of the one, contrasted with the advantages of the other, I cannot think that compacts between them, to which so many legal consequences of the highest importance are attached, ought to be left in the uncertainty which will always exist, after a short lapse of time, as to the real effect of unrecorded words. Every "Special Contract," obligatory on a labourer in husbandry under this Act, ought to be drawn up and signed by the parties, and recorded in the office of the justice of the peace, whose presence is already required on such occasions; and in cases where either of the contracting parties may be unable to read, the justice should be required to add to his attestation of their signatures a declaration, subscribed by himself, to the effect that he had read over and explained to the labourer the contents and the effect of the agreement into which he was about to enter. It is superfluous to enlarge upon the importance of precautions of this nature, against abuses which might otherwise prove the fertile source of discontent.

Secondly: Adverting to the various provisions, of which it is the object to prevent or to punish a negligent performance by the labourers of the contracts for hiring and service into which they may enter, I make no objection to the general principle of visiting such defaults by a forfeiture of wages, for a greater length of time than that of the absence itself, or even by punishments involving some bodily suffering. However desirable it may be that society should be held together by sanctions of a more liberal character, yet in an employment of such vital importance to the general welfare, as is that of the growth and manufacture of the great staple commodities of the Island, it is necessary that workmen should give some better pledge than the mere liability to dismission, or to actions at law, for the faithful performance of the duties they have assumed towards their employers. There would otherwise arise a want of mutual confidence, destructive to any scheme of extensive improvement and expenditure, and a decline of agricultural and commercial industry, by which no class of persons would in reality suffer so much as those whose daily subsistence depends on their daily manual labour.

But while thus assenting to the general principle, I cannot concur in some of the details of these enactments. A whole day's wages of a labourer in husbandry are to be forfeited if he shall absent himself for "half or any smaller proportion of a day." Thus, according to plain and inevitable construction of the words, the offence of loitering for a minute might deprive a man of the maintenance of himself and his family for twenty-four hours, a punishment which in so extreme a case would be obviously unjust and prejudicial to the real interests of the employer as well as to that of his servant. Further: To the question, what cause of absence is, and what is not, reasonable, the law gives no specific answer; but if I correctly understand it, refers the decision in each successive case to the unfettered discretion of the justice of the peace before whom the complaint of an unreasonable absence may be preferred. It is in a spirit of the most entire respect for the gentlemen in the commission of the peace in Antigua, that I hesitate to acknowledge the propriety of committing so large a trust to them. Being generally selected from the principal proprietors or resident managers of estates in the Island, they have, or at least will be supposed to have, an indirect interest in the rigid enforcement of this law. The magistrate before whom penalties are to be recovered for an unreasonable absence to-day, may himself have to sue for similar penalties in the justice room of the present complainant to-morrow: suspicions of partiality, with however little foundation, must be expected to take root in the minds of those who are the objects of the alternate jurisdiction and complaint of the same persons. Indeed I do not find any direct prohibition against the exercise by an employer of his magisterial authority, for the conviction and punishment of his own servants, although such an abuse can scarcely be considered as impossible in a society in which the combinations of the characters of party and judge were so recently sanctioned by the law, the usages, and the public opinion of the entire community.

I fully admit that it is indispensable to confide to the judge an ample discretion to distinguish, as occasions arise, between reasonable and unreasonable apologies for

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absence from work. The attempt to draw out such distinctions beforehand with precise legislative definitions would be manifestly futile. But to obviate the rea lor suspected injustice incident to the possession and use of such a power, the best practicable security should be taken for the impartial exercise of it. Such a security I apprehend would be found, first in requiring that these forfeitures should be imposed, not by a single justice, but at a petty sessions; and secondly, by requiring that at every such sessions there should be present at least one magistrate, not being himself the employer of labourers under special contract in the same species of service.

Thirdly: I acquiesce in the necessity and propriety of denouncing against labourers in husbandry and manufactures, penalties affecting that class of persons only, in so far as such penalties are exigible in respect of actions, of which the criminality or danger wholly or chiefly result from the circumstance of such being the employment and mode of life of the offender. The law has therefore properly devised for the punishment of negligent and improper performance of work, endangering the employer's property by wilful negligence, or by the careless use of fire, the ill using of cattle, and the wantonly destroying or injuring an employer's property committed to the labourer's charge.

But under the same head, the crime of drunkenness is classed as an offence, the extreme punishment of which may be imprisonment with hard labour for three months. This, indeed, is the maximum. But not only is such a penalty quite out of proportion to any mischief which society at large can sustain from a single act of intoxication, and at variance with the prevailing tone of moral sentiment on the subject, but it is also a punishment which, if justly due in the case of labourers under special contracts, cannot be unmerited in other cases. The circumstance that a man has engaged himself to perform agricultural or manufacturing labour, does not render his drunkenness more injurious to society at large, than if he were devoted to any other species of industry, manual or intellectual.

The failure to provide according to his ability for his infant children is another crime for which the rural labourer under special contracts is to be liable to three months' imprisonment and hard labour on a summary conviction before a single magistrate. Without pausing to inquire whether this is a proper mode of legislation in reference to parents generally, it is enough for my present purpose to say that the neglect of infant children is not one of those offences of which the mischief consists in, or arises from, the circumstance, that the parent is a labourer in husbandry. The apology for subjecting that class of society to a peculiar penal code, from which all other classes are exempt, fails when applied to such a case as this. The immediate injury to this class may indeed be so slight as to be scarcely perceptible. But I must regard, as of no light moment, the general principle which enactments of this character involve. There is no danger connected with the transition from slavery to freedom demanding a more vigilant circumspection than that of the silent growth of a new code, depressing below the common level of society, in respect of civil rights and penal liabilities, persons who have been so long accustomed to regard themselves, and to be regarded by others as in a state of social inferiority and domestic and personal degradation. The moral influence of such distinctions, if revived and perpetuated in this new form, will be felt to a much greater extent, and more injuriously, than the direct operation of the law itself.

Fourthly: The Act contains some clauses, very properly framed, for the protection of the labourer against ill usage, or breach of contract on the part of his employer. Yet I am constrained to remark that there is in these provisions some want of equal justice. The forfeitures incurred by the labourer are invariably to accrue to his employer's benefit; but the forfeitures which may be recovered against the employer himself, are as invariably to be paid into the public Treasury. The rule should be the same in both cases. The labourer also is in every case to pay a larger sum for absenting himself, than the amount of the wages which he would have earned by attending. The employer, on the other hand can never be amerced in a greater sum than ten pounds currency, whatever may be the extent of the injury which his breach of contract may have inflicted upon the labourer. Either each party should be liable to make a precise indemnification for the injury inflicted on the other, or each party should, over and above that indemnity, be subject to some penal payment. The rule as it stands is inconsistent with itself, and is founded on no definite principle whatever.

I further observe that the Act contains no express declaration that those rules of the common law are neither revoked nor superseded, by which the servant might have

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have recovered the amount of the wages due to him, or might have enforced the performance of the contract by which the employer might have been punished for the ill usage of his servant. It must therefore remain at least doubtful whether the ancient remedies could be taken, and consequently whether more is not lost than gained by these enactments in the way of security for the employer's good conduct.

Fifthly: On account of its peculiar importance, I will here transcribe verbatim, from the 12th section of this law, the following enactment: "If any person shall knowingly employ any servant in husbandry who shall either be under contract to another person, OR *retain the occupation of a house upon the estate of such other person*, or if any person shall continue to employ a servant in husbandry so under contract to another person, OR so retaining the *occupation of a house upon the estate of such other person*, after receiving due notice of the relation in which such servant in husbandry stands towards such other person," the offender is to forfeit ten pounds. To so much of this enactment as forbids the hiring or employing a servant under contract to another employer, I have no objection. But the penalty against hiring or employing the occupant of a house on another man's estate, unless the occupation of such house should form the subject of a special contract, is a formidable abridgment of the new freedom and of the legal equality of the emancipated slaves. In your Despatch already quoted, I find a summary and a defence of this clause; but by some oversight you appear to have passed over in silence so much of it as relates to the restrictions imposed on tenantry. The omission is, however, supplied by an argumentative preamble to the enactments itself, which also it will be convenient to copy. It is as follows:—

"Whereas it is highly desirable that servants in husbandry should, as far as may be practicable, be associated in labour and located on the same estates; and it is also both impolitic and unjust towards their present employers, as well as injurious to themselves, that they should be allowed to be seduced by a temporary increase of wages, held out to them by any other proprietor, with a particular object to desert the estates to which they are attached, and where they enjoy the more solid advantage of permanent employment with a comfortable place of abode; be it therefore enacted," &c.

However important it may be, that the emancipated slaves of Antigua should continue to work as formerly, in compact bodies, and should continue to regard as their future homes, the estates on which they have hitherto been settled, it is of still higher moment that the rights so unreservedly granted to them should be maintained, and that no attempt should be made to re-establish any of the essential principles of the ancient slave code. But the effect of this law is to revive the authority of one of those maxims, which is in its operation the most directly opposed to personal freedom. In substance and in effect it requires the tenantry on every estate to labour in the service of the landlord, at a rate of wages to be fixed by himself, however high may be the offers which they may receive from other candidates for their services. The householder may indeed refuse to enter into a special contract with his landlord; but if so, he can serve no one else: he is also at liberty to change his place of abode. But by that measure he merely passes from one landholder to another, each of whom will in turn be entitled to prevent the labourer working for a stranger, and each of whom will place his own value upon the services which he himself may demand. The imposition of such a restraint upon the free exchange of a man's labour for the best wages which that labour can command, is alike at variance with justice to individuals, and with the real interests of society at large. But further, if such an obligation is to exist at all, it should at least be mutual. If a labourer may not work for any one except his landlord, the duty of finding for the labourer a constant maintenance, adequate in amount and kind, must be imposed on the landlord in turn. Effective securities must be taken, on the one hand, for the punctual delivery of these supplies; while on the other hand, securities not less stringent must be devised against the indolence of the labourer. In other words, the scheme of apprenticeship in force in the other Colonies under the Act of Parliament for a few years, must be incorporated, in principle at least, into the permanent law of Antigua; and the Legislature of that Island will thus be compelled to revert, for an indefinite time, to the very system which they repudiated when the establishment of it was proposed to them for a period of five years only. His Majesty cannot be advised to sanction so speedy an abandonment of the ground advisedly taken by the Legislature of Antigua in two successive enactments, in each of which the inutility of the apprenticeship and the substitution of a total and immediate Abolition of Slavery were so distinctly proclaimed,

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not only within the limits of that Island, but throughout all the British West Indies, and to the people of this kingdom. It was on account of the grant to the labourers in husbandry of that unrestricted freedom, to dispose of their labour to the best advantage, that His Majesty declared that adequate and satisfactory provision had been made for carrying into effect the views of Parliament, and that the Colonists of Antigua were entitled to their proportionate share in the Compensation Fund. For these reasons I can hold out no prospect that this Act will be allowed.

Sixthly: The enactment prescribing the means of recovering penalties is expressed in terms of great ambiguity. They are such as rather to raise a new question in each successive case, than to establish a fixed rule for the decision of any.

Seventhly: The definition of the word labourer is such as to embrace every free man in the Island, who earns his subsistence by the labour of his hands; for, under the terms mechanics and artisans, will be included such craftsmen as tailors, shoemakers, carpenters and wheelwrights. I apprehend that the reason of the law does not extend to cases of this nature, and that the free people of colour who were never in bondage will regard the novel disabilities imposed upon them by this statute with great and reasonable dissatisfaction.

Your own assent to this law appears to have been obtained the more readily, from the circumstance that it was passed only for a year. I cannot regard that fact as of much importance. The recognition of the principles of this statute, for however short a period, may be as binding hereafter, as though the operation of it were to continue for an indefinite length of time.

You also appear to have been much impressed by the necessity of preventing the loss of the present crop; but as that is a consideration which will resume its force with each successive harvest, the value of it must be estimated, not upon occasional, but on permanent grounds.

You will further remark, that ever since the Abolition of Slavery, the demeanor of the labouring population has been in the highest degree creditable; but you were induced to accept the Bill tendered to you from various reasons, amongst which you enumerate the injudicious experiments resorted to by the emancipated population, with a view of bettering their condition, and the desire of gain unwisely excited by planters bidding against each other, with offers of superior wages. Not doubting the existence of the evils which you have described as having directly followed upon a change, so complete and immediate as that which occurred in the Island of Antigua, and fully prepared as I am to expect that some time must elapse and some trouble be incurred, before society can quietly settle down into a system so new and untried, I yet must think that no better elements of social prosperity could be desired or supposed, than the anxious wish on the part of the labourers, on the one hand, to better their condition, and the eager competition on the part of employers, on the other hand, for their services. To interfere with the natural and beneficial working of these incentives to industry would be evidently imprudent. It would be to recur to a system to which, as often as the experiment has been repeated, the concurrent testimony and the mature experience of all countries has been opposed.

The remarks which I have made will prepare you to receive an Order from His Majesty in Council, disallowing this Act. To many of its provisions, as has already been shown, no objection is entertained by His Majesty's official advisers. If they shall be incorporated in a new law, from which the objectionable enactments shall be excluded, and in which the omissions I have pointed out shall be satisfactorily supplied, you will give your assent to any Bill of that nature which may be tendered to you.

I have, &c.
(signed) *Aberdeen.*

No. 172.

— No. 172. —

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to the Earl of *Aberdeen.*

My Lord, Government House, Antigua, 11 May 1835.

THE enclosed documents show what has passed between the two Houses of this Legislature and myself in relation to your Lordship's Despatch of the 28th February (intimating the approaching disallowance of the Contract Act), to which I had, as therein explained, erroneously assented.

Nos. 1, 2, 3, 4. 7th & 9th May 1835.

To

To the chairman of the joint committee, engaged in endeavouring to frame legislative provisions, more in unison with your Lordship's sentiments, the Despatch of the above date has likewise been communicated; and the prohibition, excluding female liberated Africans from agricultural employment, having originated in an Order of The King in Council, (Enclosure, No. 3,) it possibly may be desirable (the better to eradicate the prejudices of the negro population against this pursuit), that its formal repeal should emanate from the same high source.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosures in No. 172.

Enclosures in No. 172.

No. 1.

His Excellency the Governor to His Honour the President and Council.

In the belief that certain springs of human action, however conducive in the ordinary course of events to social prosperity, might yet beneficially admit of temporary regulation, when thrown by an unprecedented occurrence into sudden operation, and that the admission under peculiar circumstances of an imperfect statute of short continuance, would not render its principles indefinitely binding; the executive assented to an enactment designed to protect, during one year, the engagements of voluntarily contracting parties, and intituled, "An Act for regulating special Contracts between Labourers and their Employers, and enforcing a strict observance of such Contracts."

But the inaccuracy of this impression being exhibited in the Despatch, of which a transcript is enclosed, the Governor will now participate with pleasure in the adoption of such measures, founded upon the observations of the Earl of Aberdeen, as the two Houses of Legislature, whom it has appeared desirable to convene on the occasion, may deem appropriate in consequence of the approaching disallowance of the Contract Act.

28th Feb. 1835. No. 20

Government House, St. John's, 7 May 1835.

(signed) *E. J. Murray M'Gregor*, Governor.

A similar Message to the House of Assembly.

No. 2.

Extract of a Letter from his Honour the Speaker of the House of Assembly, to Governor Sir *E. J. Murray M'Gregor*, Bart., dated the 7th May 1835.

I have the honour to acknowledge, on behalf of the House of Assembly, the receipt of your Excellency's communications of this day's date, numbered from 1 to 3, and to state that with respect to the Despatch of His Majesty's Principal Secretary of State, on the subject of the Bill "for regulating special Contracts between Labourers and their Employers, and enforcing a strict observance of such Contracts," a committee of the two Houses has been appointed to report on the same, and to bring in such Bills as may be deemed requisite.

No. 3.

At a Meeting of the Privy Council, held by special Summons at Government House, on Saturday, the 9th day of May 1835.

Present:

His Excellency Sir E. J. Murray M'Gregor, Bart.

The Honourable	Meade H. Daniel.	The Honourable	George S. Martin.
„	William Byam.	„	William Lee.
„	Paul Horsford.	„	Owen Pell.
„	Francis F. Brown.		

(Extract.)

"The restrictions affecting the employment of Africans under charge of the officers of His Majesty's Customs, which the Colonial Department has been unable to trace to its source, originated, it will be observed, in an order by The King in Council; and it would perhaps sufficiently meet the object of the committee of this board, were public notice given of the removal of any injunction hitherto disqualifying Africans of the above class from engaging in agricultural pursuits."

Sir,

Custom House, Antigua, 8 May 1835.

I have to acknowledge the receipt of your letter of 7th instant, calling upon me to state, "Whether there are any and what regulations from His Majesty's Government on record in this custom-house, prohibiting the apprenticing of the children of liberated Africans as agricultural labourers?"

I have now the honour to forward you for his Excellency's information, extracts from the Order in Council relating thereto.

I have, &c.

To Felix Bedingfeld, esq. Private Secretary, &c. &c

(signed) *G. A. Gore*, Collector.

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Extract from an ORDER in COUNCIL, dated the 16th March 1808.

1st. IN regard to such male negroes as from infirmity or age are not fit for military or naval service, or such as shall be required or taken for the same as aforesaid, and also in regard to female negroes, the collector or chief officer of the customs for the time being is to use the earliest and utmost endeavour to bind them as apprentices or indented servants to prudent and humane masters or mistresses, either in the same or other Colonies, to learn such trades, handicrafts or employments as they seem from their bodily or other qualities most likely to be fit for, and to gain their livelihood most comfortably by, after their terms of apprenticeship or servitude shall expire.

2d. In respect to female negroes for whom there is in general no employment in the West Indies but in domestic services or the labours of agriculture, the collector or chief officer of the customs for the time being is to take especial care that they are not to be employed in the latter upon any account, and he is hereby further directed to bind them apprentices only to such masters and mistresses as are of good repute for humanity to their domestic slaves, and for such terms or periods only as may be sufficient for their acquiring the knowledge of their business as servants in whatever domestic capacity the master or mistress may assign them to, with such addition thereto as may reasonably suffice to recompense him or her for the care of their instruction and the charge of their support in the meantime; relation being herein had to the age and strength of every such female apprentice.

(A true copy.)

(signed) *W. Simpson.*

It is the opinion of the board that the collector of customs for this Island should be informed, that the prohibition in regard to the liberated Africans being employed in agricultural labour, need, on the authority of the Right honourable the Secretary of State, be no longer maintained.

(A true extract.)

(signed) *Tho^{s} Lane*, Sec^{y}.

No. 4.

Sir, Government House, St. John's, 9th May 1835.

YOUR Letter of yesterday's date having been laid before the Governor, I have received his Excellency's commands to communicate for your information, the accompanying extract from a Despatch of the Right honourable the Earl of Aberdeen, in conformity with which the Governor requests, that the liberated Africans under your care may be no longer prohibited from engaging in agricultural pursuits.

I have, &c.

To G. A. Gore, Esq. (signed) *Felix Bedingfeld*, Priv. Sec^{y}.
Collector of His Majesty's Customs, Antigua.

No. 173.

— No. 173. —

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart. to the Secretary of State for the Colonies.

Sir, Government House, Antigua, 3 February 1835.

I HAVE the honour of forwarding a Report from the superintendent of police, containing observations on the state of labour in this Island on the 31st ultimo.

31 January 1835.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 173.

EXTRACT of a LETTER from *Henry Loving*, Esq., Superintendent of Police, to Sir *E. J. Murray M'Gregor*, dated Police Office, Head Quarters, St. John's, 31 January 1835.

I HAVE the honour to lay before your Excellency the information which I have derived by personal inquiry and observation regarding the internal state of affairs in the Island during the month ending this day.

In my last Report for December, I stated that the approaching sugar crop would form a new connexion between master and servant, and give an opportunity to both of establishing such pecuniary arrangements as might probably raise a superstructure of fixed wages for every succeeding crop.

Your Excellency will recollect that I adverted, in former monthly Reports, to the want of unanimity among the proprietary body, as one of the evils which kept alive a spirit of jealousy and discontent among the labouring population. The same complaint exists at this moment, and though I am far from advocating the necessity or propriety of any law to establish a general rate of wages, yet I am convinced that there ought to be a private rule

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rule for the mutual benefit of all. It may be objected that some estates are large, some small, some labouring under mortgages, some partially or altogether free from debt. But this does not alter the case one jot or tittle. In a comparative ratio, they are all equally interested in taking off the present and establishing the next crop with celerity; and neither logic nor experience can controvert the fact, that both large and small, incumbered and unincumbered, stand upon the same footing in this respect.

Many planters are now preparing to begin crop, but those who have begun are as various in their plans as may possibly be conceived. Some are for allowing the people 9*d.* per day for the adults and 6*d.* for the younger folks for every hogshead of sugar manufactured in one day. Some for allowing 1*s.* 6*d.* to the mill-gang, and 1*s.* 1½*d.* to the cane cutters per day, without reference to the rate per hogshead. Some for allowing 1*s.* 4½*d.* to the large and 1*s.* to the small gangs per day, and 3*d.* more if they manufacture two and a half hogsheads per day. Some for allowing the former wages of 1*s.* to the great gang and 9*d.* to the weeders, and a gratuity of one pint of meal, two herrings and beverage. Some for allowing the wages last stated, with the addition of 1½*d.* for working at breakfast-time, and 3*d.* for dinner-time during the crop; and in fact it would take me more time than I could devote to the collection of the various plans that are in existence.

This leads to inquiry on the part of the labourers, and being a keen calculating class of people, they naturally feel an appetite for that plan which is most advantageous to themselves. Upon this diversity of system then it is that the crop is progressing both with uncommon sluggishness, and much disagreement and halting between two opinions on several plantations. I have no doubt that matters will assume a more favourable turn, though I am constrained to give it as my opinion, that should this be otherwise, it will require three or four weeks more than usual to take in the harvest. Those estates which formerly made in good weather three and four hogsheads per day are now unable to make more than two, and I apprehend that they will seldom exceed two and a half on an average.

Where the rate of 9*d.* per hogshead has been accepted, the labour has been increased in proportion, so as to keep pace with the expectation of a large reward. But the mind of the negro has been so considerably altered since his elevation to freedom, that this degree of exertion, it is quite probable, will last but for a season, for after a month of fortunate gains in studious toil, relaxation will be sighed for, a desire for occasional rest will triumph over money, and the work will fall off. This has been the case since the 1st of August, when labour was not so great as at this moment, and I am persuaded that nothing can prevent a recurrence of the same circumstance to a certain extent. A plea of sickness will occur—whether real or feigned it must be allowed, and these periodical drawbacks will amount to much in the end.

The estates that are more remote from the towns will suffer less than others in this respect, because the population are less vicious and more stationary. To sum up the whole, I am to remark, that free labour differs from slave labour in this essential point, that the emancipated will migrate where and when they please, as often as their interest or a desire for recreation leads them. It was to check this abuse of time in the present crop that the Act for establishing contracts between master and servant was passed on the 29th of last month. It was both necessary and opportune, because there could be no doubt, from the experience of past months, that the planters would continue to entice away each other's labourers by increased bounties.

The idea of importing English labourers into this Island has been a favourite topic with some persons; but it is absolute delusion to suppose that any man from the United Kingdom can be put alongside of one of our field people for 12 hours under a burning sun with any hope of his prolonged existence. The most experienced planters must know that the training for plantation work requires to be gradual; the grass gang in childhood, the weeding gang in riper years, and the great gang at maturity, ere the constitutional powers can withstand the effects of climate. It is not many years since that the experiment of purchasing townspeople to dig cane-holes was tried by an Irish landholder in this Island; and notwithstanding they were native blacks, disease speedily crept in among them. Some that I had known in robust health, became enervated and decrepid. Death completed the work, and but few of the original number were effective on the 1st of August last. I should not think that the importation of white ploughmen is intended, because that scheme was carried into effect some years ago by several planters; and the measure not being followed up is a proof that their services could be dispensed with after the slaves had acquired the art and saved this extraordinary expense to the master.

The progress of events has not been marked by any unusual disrespect of the laws on the part of the labouring classes: petty thefts on the full grown canes and potatoes are frequent; but this may be ascribed to a rule among those people during their servitude, "that the taking of their masters' crop was no theft, so long as they planted it." Summary punishments will awaken their feelings to the dissimilarity of connexion between their former and present condition, and operate for the future as a check to this principle.

The whole Island is in a state of ordinary tranquillity. The trifling ebullition of discontent on some plantations on the score of wages may be considered as purely domestic, and will blow over in a week or two. The police force, small as it is, continues to be efficient, and the prevalence of vice in our streets has been effectually put down by their firmness and activity.

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— No. 174. —

No. 174.

COPY of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Colonial Office, 16 March 1835.

I HAVE to acknowledge the receipt of your Despatch of the 3d February, enclosing report of the superintendent of police upon the state of the liberated classes in the Island of Antigua on the 31st January last.

Although differences are reported in that report as interfering with the harvest, and likely to delay its completion, yet the rights of the negro to carry his labour to the best market cannot be denied, and, on the other hand, the proprietors as a body are neither so large nor so incompact as to be unable to protect their own interests without resorting to compulsory enactments at variance with the freedom of commerce.

It affords me much satisfaction to observe that the police force is reported to be in a state of efficiency.

I have, &c.

(signed) *Aberdeen.*

— No. 175.—

No. 175.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to the Earl of *Aberdeen.*

My Lord, Government House, Antigua, 10 March 1835.

A REPORT from the superintendent of police for February, received too late to admit of its transmission by the last packet, is herewith forwarded, representing the state of agricultural labour in this Colony, since the commencement of the present crop, and passing of the Act relative to contracts, which accompanied my Despatch of the 30th December last.

28th February 1835.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 175.

Enclosure in No. 175.

Police Office, Head Quarters, St. John's,

Sir, 28th February 1835.

I HAVE the honour to lay before your Excellency a short Report connected with passing events in this Island during the present month.

The sugar crop has been generally commenced, but the average quantum of labour has not been such as to afford the planters satisfaction under all the circumstances of the country, and with due allowance for the altered condition of society. There has been no fixed standard of wages by private agreement among the planters, but still they have severally offered to the labourers such terms as were consistent with the pecuniary means at their command, and such also as, in my opinion, ought to have been cheerfully acceded to, in a great majority of cases, but in others the people were less to blame, on account of the scale of wages being so intricate as to be beyond the comprehension of persons not acquainted with arithmetical calculation. Alterations I am informed have been made from time to time to bring the weaker party into terms that were more acceptable and better understood.

I am certain that the taking off this crop will give the contracting parties the advantage of more amicable feelings on future similar occasions. It is impossible that the planter can spend less hereafter than they do at present in the manufacture of sugar, with any hope of benefit to themselves; and the labourer will be satisfied, at the end of the bargain, that they have had no reasonable or just cause of complaint.

The character of slavery had impressed on the minds of its victims a certain degree of low cunning, and a large share of distrust on the score of undue advantage being taken of their weakness and comparative ignorance, which it will take many years to overcome, and even then it will never be altogether extracted from the present generation of adults, who have grown up with the old colonial system.

Hence their fluctuating opinion and breaches of contract during the last and present month. On many estates they have hardly made a contract before they attempted to abrogate it, while on others they have lingered at the work for a short time, till an open rupture has been the result. In several instances under my own knowledge (and I am told they are common) they flatly deny before the magistrates the existence of any contract. But the truth has invariably come out, that certain propositions being made to them in the manner prescribed by law, they silently (though perhaps reluctantly) retire, perform the work allotted them, and receive the proffered wages. The fact being thus established upon the evidence

of

of two persons, the magistrate's course is clear and unequivocal. Much, however, has been done by the magistracy of St. John's to reconcile these conflicting parties, and they have been successful in some instances.

The crop, I am of opinion, would never have been proceeded with so far as it has but for the enactment of the Labourer's Contract Act; and though the whole of the plantations have not succeeded in getting their people to agree to contracts, yet the possession of houses by the dissenting labourers has had the salutary effect of preventing by law their services from being accepted elsewhere; and they are thus reduced to the necessity of remaining where they are, and faring no better than those who have become contractors.

The minds of the labouring people were staggered at the provisions of this new law, but they are now mostly convinced of its tendency, either by magisterial decisions or by due explanations abroad, and it may reasonably be inferred that all collision will cease as they become familiarised to the present regulations. The sugar crop has fallen far short of the expectations which were entertained three months ago, and certainly much behind that of last year; but I am of opinion, as I hinted in my last Report, that the time which will be occupied in reaping the present, will not be less than was taken to complete the former; and this must be ascribed to the difference between slave and free labour per diem.

Whether the same quantity of plant canes will be put in this year as there was last year, is another question; but, from all that I can learn, it does not appear that there will be any diminution in the aggregate, in consequence of the job-work and increased pay given to the labourers at the critical moment when the planters discovered that there was no hope of opening the land for the next crop but by an additional pecuniary stimulus.

The calendar for the session of next month is considerably heavier than it has been at both the former sessions since the first of August last. The capital cases in this Court would appear at the first view as largely increased, compared with their extent before the abolition of slavery in this Island; but a moment's reflection will discover that cases which were formerly dealt with in the slave court are all crowded into the jurisdiction of our tribunal for the trial of free men; and larcenies upon plantations, which under the old system would have been dealt with by domestic chatisement, are likewise thrown into this new channel.

Time, patience, judicious laws, and able, unbiassed magistrates, are the points to which the country must look for happiness under Divine Providence, and I feel persuaded that she will yet have to congratulate herself upon her great liberality in the cause of feedom.

The police force under my command have an arduous duty to perform, and my personal exertions are unceasing to supply the lack of numbers by zealous activity on the part of every member thereof.

I have the honour to be, Sir,
Your Excellency's most obedient, humble servant,

(signed) *Henry Loving*, Supr. of Police.

To His Excellency the Governor,
&c. &c. &c.

—No. 176.— No. 176.

COPY of a DESPATCH from Governor Sir *Evan J. Murray M'Gregor*, Bart., to Mr. Secretary *Grant*.

Sir, Government House, Antigua, 9 June 1835.

I HAVE the honour to submit for your information a satisfactory Report from Mr. Loving, superintendent of police, on the present condition of this Island.

1 June 1835.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 176.

Enclosure in No. 176.

Police Office, Head Quarters, St. John's,
Sir, 1st June 1835.

THE progressively healthful state of affairs in this Island leaves me but little to remark upon in this Report for the month of May; and I am happy to have learnt, from the best authority, that some gentlemen of rank possessing estates in this country, who, from a want of due patience, had recently predicted the ruin of the landed interest, are now of a different opinion. Opinions, however, ought to be received with some caution where they are not general,

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general, and especially when they relate to any subject which affects the well-being of a whole community. That such opinions were never general, and, in fact, rather limited, at any period since the first of August 1834, I can aver, from the conversations which I have had with planters of every rank, and at all events it would have been better to have withheld any sentiments of despondency till the period should have arrived when a fair estimate could be made of the operations of free labour. Hasty promulgations of impending evil are, moreover, calculated to wound the credit of the Island abroad, and to forfeit that confidence which is so necessary to be maintained between the people of England and the planters of the West Indies.

Capital offences against the laws have decreased considerably since the last quarterly sessions, there being but four persons to be arraigned in the present month. Petit larcenies have been more numerous since that period, and this I attribute, as it regards the rural population, to the circumstance of there being several disaffected characters about the country who have done little or no work since their emancipation; and on the part of the town's people by reason of their prevailing and unhappy fondness for dress.

The force under my command are in the active and zealous performance of every duty which may tend to the public good, and in this I am happy to say they are powerfully aided by the magistracy and other functionaries.

I have the honour to be, Sir,
Your Excellency's most obedient and very humble servant,

Henry Loving, Sup. of Police.

To His Excellency Sir E. J. Murray M'Gregor, Bart.
&c. &c. &c.

No. 177.

—No. 177.—

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 29 July 1835.

I HAVE the honour to transmit to you an Order of His Majesty in Council, dated 10th June 1835, confirming and allowing the Act passed by the Legislature of Antigua in the month of June 1834, for the Abolition of Slavery in that Island, and reciting and setting forth at length, in pursuance of the 23d section of the British Act, the several provisions and enactments of that Act which have been superseded by the Act of the Legislature of Antigua.

Order in Council of 10 June 1835, printed in the Appendix (B.), No. 22.

I have, &c.

(signed) *Glenelg*.

No. 178.

—No. 178.—

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Evan J. Murray M'Gregor*, Bart.

Sir, Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ultimo, declaring that adequate and satisfactory provision hath been made in the colony of Antigua for giving effect to an Act of Parliament made in the 3d and 4th years of His present Majesty for the Abolition of Slavery.

Order in Council of 31 July 1835, printed in the Appendix of Part II. (B.), No. 17.

I have, &c.

(signed) *Glenelg*.

MONTSERRAT.

—No. 179.— No. 179.

COPY of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 30 December 1833.

I DO myself the honour of transmitting to you the copy of a Letter from the President of Montserrat, on the occasion of his having presented to that Legislature the transcript of your circular Despatch of the 19th of October last. 24 December 1833.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 179. Enclosure in No. 179.

Sir, Montserrat, 24 December 1833.

IT affords me much satisfaction to be enabled to inform your Excellency that I had an opportunity on Thursday last of submitting to the serious consideration of both Houses of the Legislature (by message) the important circular Despatch from the Right honourable the Secretary of State for the Colonies, with a printed form, intended in some measure as a model for their guidance in the formation of the Colonial Bills to be passed, in accordance with the spirit of the Act of Parliament for the Abolition of Slavery.

I am pleased to inform your Excellency that that Act has been received by them with that respectful attention due to His Majesty and the Imperial Parliament, on a Bill of such vital importance not only to the Colonies, but to the Empire at large. They have also duly appreciated the very conciliatory Letter of Mr. Secretary Stanley, as also that of your Excellency for your kind good wishes in the transmission of it.

I do most sincerely hope and trust that, through their wisdom, their patriotism, and their love of their country, they may be enabled, difficult as the task is, to surmount them all, and make such wholesome enactments as may (with the aid of His Majesty's Government) ensure to the inhabitants of this ancient and loyal Island that happiness and prosperity they formerly enjoyed.

I have, &c.

(signed) *Hen. Hamilton.*

His Excellency Sir E. J. Murray M'Gregor, Bart.
Governor Leeward Islands.

—No. 180.— No. 180.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 6 June 1834.

I HAVE to acknowledge the receipt of your Despatch of the 6th of April last, transmitting the Bill passed by the Legislature of Montserrat, for the Abolition of Slavery; and I have to inform you, that, in consequence of this Bill not having received your assent, or that of the President of Montserrat, His Majesty is precluded from pronouncing any opinion upon it. It is a subject of considerable regret to me that this Bill should have been sent home in such a form; but in order to obviate this serious inconvenience which would result to the Island by the Bill not coming into operation on the 1st August next, I have received The King's command to inform you, that if the House of Assembly of Montserrat be still in Session, and the usages of the Colony permit it, the requisite assent should be given by the officer administering the government. If, on the other hand, the Session shall have been closed, I am to desire that immediate steps may be taken to convene the Legislature, who must be invited to re-enact the Bill, to which, when so re-enacted, the President Hamilton will give his assent.

I have, &c.

(signed) *T. Spring Rice.*

MONTSERRAT.

No. 181.

—No. 181.—

COPY of a DESPATCH from Mr. President *Hamilton* to Mr. Secretary *Spring Rice*.

Printed in the Appendix (B.) No. 23.

Sir, Montserrat, 31 July 1834.

AGREEABLY to your instructions, I have the honour to enclose you a re-enacted Bill for the Abolition of Slavery in this Colony.

I have, &c.

(signed) *J. Hamilton*, President.

No. 182.

— No. 182. —

EXTRACT of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice*, dated Nevis, 1 August 1834.

30th July 1834.

HIS Majesty's ship Belvedera quitted Tortola on the morning of the 25th, and I reached Montserrat on the 29th ultimo. My communications from the Council, the Assembly, and the Executive, will be found detailed in the Enclosures, Nos. 1, 2 and 3, relating to the latter Island, where no design had been indicated by the negroes of opposing the system of apprenticeship, and they were, on the contrary, said to comport themselves with perfect propriety and decorum.

The absence of the special magistrate, intended to officiate in that Colony, is adverted to in the address from the Assembly.

Enclosures in No. 182.

Enclosures in No. 182.

No. 1.

MONTSERRAT.

Mr. President and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

ON repairing to Montserrat it is in the highest degree acceptable to me to be assured of the observance of that orderly conduct which has happily prevailed amongst the working population since the formation of the Leeward Island Government.

As their sincere friend I cherish a heartfelt hope that by a faithful and punctual discharge of the duties about to devolve on them for four or six crops, according to their respective classes, during the prescribed period of apprenticeship, the negroes of this Colony will prove themselves justly sensible of the solid advantages of food, medical care and lodging to be provided for them while in this state of gradual preparation for eventual independence by their several employers, and by thus meriting the great boon of freedom, so soon to be bestowed upon them, under the immediate auspices of the King, prudently to insure a continuance of His Majesty's most gracious protection.

Mr. Speaker, and Gentlemen of the Assembly,

When the Colony of Montserrat shall have recovered from the injurious consequences inseparably connected with the long agitation of a question of such vital importance as that now to be set at rest, I confidently trust the expenditure attendant on the approaching change in the relations of society will be fully repaid by the increasing prosperity of all orders of the community.

Mr. President and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

In His Majesty's proclamation of the 4th of September last, ordaining the abolition of slavery, and the substitution for a limited term, under certain conditions of apprenticeship, our Sovereign Lord The King was pleased to declare "his settled purpose and resolve, by all the powers vested in him, to enforce due obedience to the laws, and to prevent, and if necessary, to repress and punish all contraventions of the said laws."

It is incumbent on me, therefore, in addressing your Honourable Board and House, publicly to state, that while all well-behaved and peaceable inhabitants may depend on the constant support of the executive, the civil authorities and the commanding officers of the King's naval and military forces, in pursuance of the royal commands, are amply prepared to suppress every indication of a lawless or rebellious spirit, proceeding from evil-disposed persons, and effectually to maintain the internal order and tranquillity of these valuable islands.

Montserrat, July 30, 1834. (signed) *E. J. Murray M'Gregor.*

No. 2.

To His Excellency Sir *E. J. Murray M'Gregor*, Bart. &c. &c. &c.

May it please your Excellency,

WE, His Majesty's dutiful and loyal subjects, the Members of His Majesty's Council for the Island of Montserrat, beg leave to return your Excellency our thanks for the speech that you have this day been pleased to address to both Houses of the Legislature.

We

We rejoice to find your Excellency approves of the conduct of the labouring classes in this Island; and we hope that the same class of people will evince themselves justly sensible of the solid advantages so benignantly bestowed upon them by His gracious Majesty under the Imperial Act of Parliament.

We feel grateful to our most gracious Sovereign for his proclamation of the 4th of September, in which he declares his settled purpose and determination, by all the powers vested in him, to enforce due obedience to the laws, and to prevent, and, if necessary, to repress and punish all contraventions of the said laws.

We are also thankful to your Excellency for your communication that by His Majesty's command the civil, military and naval forces are amply prepared to suppress every indication of a lawless or rebellious spirit, proceeding from evil-disposed persons, and to support the well-behaved and peaceable inhabitants of this Island.

In conclusion, permit us, Sir, to express our sincere regret that your Excellency has lately been suffering from ill health, and that the very arduous and important duties which your Excellency has to attend to in the sister Colonies at this momentous period, will unavoidably deprive us of a longer visit from you, as it would at all times afford us, both individually and collectively, the greatest gratification to show your Excellency every possible attention in our power.

Council Chamber, 30 July 1834.

(signed) *Wm Shiell.*
Jno Dobridge.
Michl Furlonge.
Francis Polhill.
Felix Beddingfield.

No. 3.

To His Excellency Sir *Evan J. Murray M'Gregor*, Bart., &c. &c. &c.

May it please your Excellency,

We, His Majesty's dutiful and loyal subjects, the Speaker and Assembly of this Island, in replying to your Excellency's address, avail ourselves of the opportunity of expressing how highly we appreciate your very opportune visit to this part of your Excellency's government; and whilst we return our best thanks to your Excellency for your address of this day, we beg leave to express a hope that the state of tranquillity and order which you are pleased to declare so happily exists, may continue to prevail. But we deeply lament the absence of the stipendiary magistrate appointed by His Majesty's Government, to fulfil the important functions attached to that office by the existing law. We therefore confidently rely upon your Excellency's wisdom to adopt such measures as shall appear most appropriate to obviate the evils that this unfortunate circumstance may occasion.

We no less cherish a heartfelt hope than your Excellency, that the respective classes of apprentices, by meriting the great boon of freedom so soon to be bestowed upon them under the immediate auspices of His Majesty, will ensure a continuance of His Majesty's most gracious protection; and we feel no hesitation in assuring your Excellency that our united exertions will be exercised in making their state comfortable and happy.

We unfeignedly thank your Excellency for your public declaration of protection, that while all well-behaved and peaceable inhabitants may depend on the constant support of the executive, the civil authorities, and the commanding officers of the King's naval and military forces, in pursuance of the royal commands, are amply prepared to suppress every indication of a lawless or rebellious spirit, we heartily deprecate the necessity of such interposition, but rely with confidence on its timely exertion if called for.

July 30, 1834. (signed) *W. D. Furlonge*, Speaker.

No. 183.

—No. 183.—

Extract of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice*, dated St. Christopher's, 15 August 1834.

I transmit to you herewith a copy of a Letter from the President of Montserrat, whence it may be gratifying to you to collect that public tranquillity is likely to remain uninterrupted in those Islands.

13th August 1834.

Enclosure in No. 183.

Sir, Montserrat, 13 August 1834.

I embrace the opportunity afforded, by one of our small vessels bound to St. Kitt's, briefly to inform your Excellency, if there, that we are in a perfect state of tranquillity in this Island, the labouring apprentices having all resumed their field-work.

Enclosure in No. 183.

To his Excellency Sir E. J. Murray M'Gregor.

I have, &c.
(signed) *Henry Hamilton*, President.

MONTSERRAT.

No. 184.

— No. 184.—

EXTRACT of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart. to Mr. Secretary *Spring Rice*, dated Government House, Antigua, 25 August 1834.

ALTHOUGH my Despatch of the 15th instant contains a Letter from the President, under date the 13th August, announcing the existence of tranquillity in Montserrat, I deem it right to convey to you the extract of a previous Report from his Honour, received on my arrival here, explanatory of the means which it had been found requisite to adopt in order to enforce it in that Colony.

Enclosure in No. 184.

Enclosure in No. 184.

EXTRACT of a LETTER from the President of Montserrat, to Sir *Evan J. Murray M'Gregor*, Bart. dated 7 August 1834.

THE day before Captain Grame's arrival I ordered out a detachment of the 36th regiment, with a party of militia, under the command of Captain De Lacy, who marched at three o'clock in the morning, and surrounded the negro houses on one of the disaffected estates, and apprehended several prisoners; this had the desired effect of creating a considerable sensation on the minds of the labouring classes generally.

As Captain De Lacy was in orders to advance with a considerable force under his command, I thought it highly advisable and a compliment due to such a distinguished officer, to promote him to the rank of Lieutenant-Colonel in the militia; as also Francis Polhill, esq. late major in His Majesty's service, to be an acting aide-de-camp to myself, which I trust will meet with your approbation; the latter gentleman also officiated as town-major.

I had, at the instance of Captain Grame, all the prisoners brought up, who on being addressed and admonished by him, expressed their deep contrition for their conduct; and at his intercession on their behalf, I granted them a general pardon, proclaiming at same time an amnesty to apprentices who returned to their duty.

I am highly gratified in reporting to your Excellency the steady and meritorious good conduct of the militia, throughout the period they were on service, which called forth my thanks in general orders to the staff, the officers, non-commissioned officers and privates of the Montserrat regiment.

Under the foregoing circumstances I thought myself, with the advice of the Privy Council, justified in discharging the alarm, and enable Captain Grame to enter upon the duties of his office.

No. 185.

— No. 185. —

COPY of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 15 January 1835.

I HAVE to acquaint you that, in the first Council which may be holden by His Majesty, an order will be made, leaving to its operation an Act passed by the President, Council and Assembly of Montserrat, in the month of July last, for the Abolition of Slavery in that Island.

The Act is a mere transcript of the first twenty-two clauses of the British Statute, 3 & 4 Will. 4, c. 73; of course, therefore, the law is left precisely where it stood before, and in that sense the Act may be said to be without any practical effect whatever; yet, considering this Statute as a deliberate acceptance of the measures adopted by Parliament, and adverting to the beneficial effect which it may possibly have on the negroes, by exhibiting to them the local Legislature as the immediate authors of their freedom, I cannot regard this law as unimportant.

It is to be observed, however, that the transfer of these clauses from the Imperial to the Colonial Statute Book has not been very skilfully made. There are several clerical errors, which perhaps do not ingeniously affect the sense, and the words taken from the 4th section of the Act of Parliament have changed their meaning with their change of position. The copy becomes substantially inaccurate by being accurate to the letter. Under the Act of Parliament, no person of the age of 12 years, or upwards, could be included in the class of prædial labourers, unless he had been habitually employed in agriculture, or in the manufacture of colonial produce, for at least twelve months preceding the date of this Act, that is, unless he had been habitually so employed as early as the 28th of August 1832. The identical words occurring in the Colonial Statute carry back only to the 30th of July 1833, the period from which the habit of prædial labour must have had its commencement. Now, this is a material distinction. In July 1833, the proceedings of the British Parliament, and their then inevitable issue, were perfectly known throughout the Colonies, and persons anticipating from the approaching change a formidable reduction in the amount of agricultural labour, may at that time have yielded to the temptation of sending domestics into the field, in order to recruit their

their gangs; but at the time fixed by Parliament, namely, the 28th of August 1832, there was no definite reason to expect the Abolition of Slavery, and consequently the temptation to which I have referred cannot at that time be supposed to have been felt. MONTSERRAT.

It will, therefore, be convenient that the Legislature of Montserrat should revise this Act, for the correction of the errors to which I have adverted.

I do not find that any Act has hitherto been received from Montserrat at this department, fulfilling the conditions which Parliament has required, to entitle the proprietors in the Colony to a share in the Compensation Fund. The law for the government of apprentices, which was received here, not having been assented to, on His Majesty's behalf, either by yourself or by the President of the Island, could not be submitted to His Majesty in Council for His Majesty's confirmation. The early approach, as I trust, of the period for the distribution of that fund, renders it peculiarly important that the attention of the local Legislature should be called to this oversight.

I have, &c.

(signed) *Aberdeen.*

— No. 186. — No. 186.

Copy of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to the Earl of *Aberdeen.*

My Lord, Government House, Antigua, 18 March 1835.

The accompanying documents contain the observations of Mr. President Hamilton, assisted by the members of His Majesty's Council in Montserrat, on the subject of the circular Despatch from the Right honourable Thomas Spring Rice, of the 30th September 1834, relative to the alterations in the system of cultivating lands, &c. likely to be effected in the Colonies, in consequence of the Abolition of Slavery.

No. 1, 2, 3. 16 Feb. & 7 Mar. 1835.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 186.

Enclosure in No. 186.

Sir, Montserrat, 5 January 1835.

I have the honour to acknowledge the receipt of your circular Letter of the 30th September, and in compliance with the directions therein contained, I beg leave to submit the following answers to the queries submitted.

To the 1st, the present state of productive industry in this Island is, at this moment, applied to the manufacture of sugar, rum and molasses, our staple exports; our articles of consumption consist of potatoes, yams and cassada; added to this, the rising of live stock is carried on to the same extent. The negro population owning a large number of goats, sheep and hogs.

To the 2d, the ill effects of the change which the abolition of slavery may produce, is already severely felt by the proprietors of estates, and proves incontestably, that the deterioration of the crops, and consequent embarrassment of many proprietors, who, it is greatly feared, must, under the present system, be obliged to abandon their properties, will be mainly attributable to this extraordinary change.

3d. It is well known that laziness and indolence are the prominent characteristics of the negro. As long as he has wherewith to satisfy his appetite, he will not willingly work, he must be driven to it; and this, coupled with the want of pecuniary means, will be the great obstacle which may in future impede the powers of production.

4th. The only remedy, therefore, under those circumstances, as it appears to me, will be in placing under cultivation, by free labour, those large tracts of arable and wood lands now lying waste at the north and south divisions of this Island, and which are well calculated for the growth of coffee, cotton, indigo, tobacco, corn and ginger, and pulse of all kind. To accomplish this great good, pecuniary means are of course required, and without the generous and liberal assistance of His Majesty's Government for that purpose, this very desirable object cannot be accomplished.

The southern parts of this Colony, having also a western aspect, with a soil similar to that of Madeira, is well calculated for the cultivation of the grape vine. There are also many situations in the interior, where potteries may be established, and bricks and tiles manufactured with success.

The northern parts of this Island will also answer well, and afford an ample field for grazing farms, in raising cattle, sheep, hogs, &c.

I have, &c.

The Right hon. the Secretary of State for the Colonial Department.

(signed) *H. Hamilton*, President, administering the government.

MONTSERRAT.

Sir, Government House, Antigua, 16 February 1835.

In your honour's answer to the Right honourable the Colonial Secretary of State's circular of the 30th of September, a copy of which is forwarded with your Letter to my address of the 10th instant, it is stated, that the ill effects of the change which the abolition may produce, is already severely felt by the proprietors of estates, and proves incontestably that the deterioration of the crops, and consequent embarrassment of many proprietors, who, it is greatly feared, must, under the present system, be obliged to abandon their properties, will be mainly attributable to this extraordinary change.

I request to be informed whether these observations are intended to apply to the effects of the abolition, in its general result of substituting freedom in the room of slavery, or to be confined to its operation in the intermediate stage of apprenticeship as now existing in Montserrat, an inquiry, which I am induced to make in consequence of the favourable prospect presented in this Island, under the opposite plan of at once emancipating the negro population.

I have, &c.

To his Honour the President of Montserrat, &c. &c. &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Sir, Montserrat, 7March 1835.

I have the honour to acknowledge the receipt of your Excellency's Letter of the 16th ultimo, relative to my answer to the Colonial Secretary of State's circular Despatch of the 30th September last, in which your Excellency requires an explanation of the following paragraph in that Despatch:—"The ill effects of the change which the abolition may produce, is already severely felt by the proprietors of estates, and proves incontestably that the deterioration of the crops, and consequent embarrassment of many proprietors, who, it is generally feared, must, under the present system, be obliged to abandon their properties, will be mainly attributable to this extraordinary change."

I beg to inform your Excellency that these observations are intended to apply to the effects of the abolition, in its general result, by the substitution of apprenticeship, as far as they had been manifested, to the date of my Despatch.

The excitement which prevailed in this Island on the introduction of the present system, and the passive resistance of the negro population to it, are well known to your Excellency.

To this cause (combined with subsequent indolence and dissatisfaction), may be attributed, in a great degree, the reduction of the present crop. The limited time allowed by the Imperial Act for the culture of estates, the additional taxation requisite to insure its future success, and the diminished resources of the proprietors, have further tended to their embarrassment. These remarks are of general application.

The class, however, more especially alluded to in that Despatch, comprises,—First, Those proprietors possessed of small unproductive and encumbered estates, who will derive no benefit from the compensation money; and, secondly, Those who hire negroes as task gangs to the proprietors of large estates, to assist in their cultivation. Persons of this class could not, without a large expenditure of capital, be able to clear and plant their estates, and erect the necessary buildings for the manufacture of sugar, or any other staple commodity of export.

I deem it requisite to state to your Excellency, that the Despatch in question was framed with the advice and assistance of the members of His Majesty's Council, who have more experience on the subject of its inquiry than my official duties have allowed me to acquire.

I have, &c.

His Excellency Sir E. J. Murray M'Gregor, Bart. Governor.

(signed) *H. Hamilton*, President.

No. 187.

— No. 187. —

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 27 July 1835.

As the period approaches for carrying into effect the intentions of Parliament, in regard to the distribution of the compensation money awarded to the Colonies under the Slavery Abolition Act, I am induced, with a view to guard against any inconvenience which might arise from delay, to advert to the Despatch which was addressed to you by my predecessor on the 15th January last, relative to the revision of the Act passed by the Legislature of Montserrat for the Abolition of Slavery in that Island, and pointing out that no Act had been received from Montserrat, fulfilling the conditions which Parliament has required to entitle the proprietors in a Colony to a share in the Compensation Fund.

Should no steps have been taken for remedying this omission before the receipt of this Despatch, you will lose no time in calling the attention of the Legislature of Montserrat to the subject, acquainting them that until they shall comply with the requisitions contained in Lord Aberdeen's Despatch, they will not be entitled to a participation in the fund.

I have, &c.

(signed) *Glenelg.*

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ST. CHRISTOPHER.

—No. 188.—

COPY of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley*.

Sir, Government House, St. Christopher, 2 August 1833.

ST. CHRISTOPHER.
—
No. 188.

I HAVE the honour to acknowledge the receipt of your letter of the 13th June, enclosing me the copy of your circular Despatch to all the Governors in the West Indies, also the Resolutions of the House of Commons of the 12th of June, on the subject of the measures proposed to be adopted for the immediate abolition of slavery.

I lost no time in laying the same before the Legislatures of this Island, Nevis and Tortola, and I herewith enclose you the replies from the Board of Council and House of Assembly of St. Christopher. Nos. 1 & 2.

On the 29th ult. I received your letter of the 26th June and the Resolutions of the House of Lords, which I likewise submitted to the Legislatures of the before-named Islands. The answers from the President and Speaker of St. Kitt's are herewith transmitted to you. Nos. 3 & 4.

As you express your anxiety to receive my report of the disposition with which those Resolutions are received in this Colony, I have the honour in this early stage of the business to lay before you all that I can as yet learn on the subject.

As relates to carrying into execution the plan for the extinction of negro slavery, I am of opinion that few proprietors of slaves in this Colony will violently oppose that measure, though few appear to approve of it. They are in general more reconciled to emancipation as compensation is to be given to them for their slaves; but I do not hear of any proprietor being satisfied with the probabled portion of that compensation.

Within the last few days I made a tour of this Island, visited several estates, and conversed with many of the slaves: they are almost unanimously very averse to the idea of being apprenticed, generally disappointed and discontented at not getting unconditional and immediate emancipation, though others object to being freed at all.

Upon the whole, they are orderly and submissive, and seem to be very happy, are well treated throughout the Island; and though on some estates there has been a disposition manifested by the gangs to decline working, by reason of their disappointment in not getting their freedom, which they fully expected by the packet, at that time just arrived, yet by good management they were brought back to their duty without coercion. It is impossible to foresee what mischief they may attempt when they are to be apprenticed, as they have so decided an abhorrence to that expedient; but I have made every arrangement within the limits of my means to counteract any insubordinate act they might by possibility endeavour to commit.

I have no reason to anticipate any opposition from the Council; on the contrary, I have hopes that they will assist the views of His Majesty's Government when the question is brought before them in a more matured stage. As yet they have not discussed the question at the Board, being unable to predict what may be the ulterior measures and decision of the British Parliament. I have not such confidence in the Assembly. They have been employed in discussing, both in and out of doors, the merits of the address and petition of the Members of the Council and General Assembly of Barbadoes to the Houses of Lords and Commons, dated the 6th July 1833, which I understand has been sent to all the Colonies having Legislatures, with a view to be adopted by them; and I am led to believe that they are resolved here to follow the example of the Barbadians.

I beg to enclose you a copy of a letter which I received from the Speaker of the House of Assembly. It is not in accordance with the resolution of a meeting of the inhabitants of this Colony that took place here on the 22d No. 5.

ST. CHRISTOPHER.

April last, of which he was chairman. A newspaper containing their proceedings I had the honour of enclosing to Lord Goderich on the 24th of the same month.

It may not be out of place here to report to you, that the Assembly of this Island suffered the Police Act to expire on the 10th December 1831, and that from that period to the present there has been no description of police whatever in the Island. The militia are so badly provided, that in the event of their being called out, they have not a set of accoutrements for service, or any means of carrying ammunition, nor have I the means of providing them; so that the protection of the Island is entirely dependent on the troops of the line. I have called the attention of the Legislature to this circumstance, but the Assembly have taken no steps to remedy the evil.

I have submitted to the Attorney-general of this Colony for his consideration the points mentioned in your circular Despatch of the 13th June, with injunctions to him immediately to make the inquiries directed by you, and to report accordingly for your information.

I forward this Despatch direct, to save delay in sending it through the Governor, being the reason you assign for transmitting your note and circular dated the 13th June direct to me, but my duplicate will be forwarded through the Governor.

I have, &c.
(signed) *J. Lyons Nixon,*
Lieutenant-governor.

Enclosure 1, in No. 188.

Sir, Council Chamber, 22 July 1833.

Enclosure 1, in No. 188.

I HAVE the honour to acknowledge your Excellency's letter of this day, transmitting the Resolutions of the House of Commons, and extracts from Mr. Secretary Stanley's Circular of the 13th June; and I am to acquaint your Excellency that a joint committee of the Council and Assembly has been appointed to take the same into consideration.

I have, &c.
His Excellency the Lieut.-governor. (signed) *J. Davoren,* President.

Enclosure 2, in No. 188.

Sir, House of Assembly, 22 July 1833.

Enclosure 2, in No. 188.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of this date, accompanied by a copy of the Resolutions of the House of Commons for the Abolition of Colonial Slavery, dated 12th June 1833, and extracts from a Circular addressed by the Honourable E. G. Stanley to the Governors of the West India Colonies, and dated June 13th, 1833.

I have the satisfaction to inform your Excellency that this important subject has been referred to a joint committee of the Board of Council and House of Assembly.

I have, &c.
His Excellency the Lieut.-governor, &c. &c. &c. (signed) *R. W. Pickwoad,* Speaker.

Enclosure 3, in No. 188.

Sir, Council Chamber, 1 Aug. 1833.

Enclosure 3, in No. 188.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of this day's date, enclosing copy of Mr. Stanley's Despatch of the 26th June last, and the Resolutions of the House of Lords of the preceding day.

I have, &c.
His Excellency, J. Lyons Nixon, Esq. &c. &c. &c. (signed) *J. Davoren,* President.

Enclosure 4, in No. 188.

Sir, House of Assembly, St. Christopher's, 1 Aug. 1833.

Enclosure 4, in No. 188.

I HAVE the honour to acknowledge the receipt of your Excellency's letter, conveying copy of the Despatch from Mr. Secretary Stanley of the 26th June last, and of the Resolutions

tions of the House of Lords, relative to the internal government and prosperity of His Majesty's Colonial possessions.

I laid the same before the House at their meeting this day.

I have, &c.

His Excellency the Lieut.-governor. (signed) *R. W. Pickwoad*, Speaker.

Enclosure 5, in No. 188.

Sir, Basseterre, August 1833.

Enclosure 5, in No. 188.

Mr. Secretary Stanley having expressed a desire to know what reception would be given to the Parliamentary Resolutions respecting the measures in progress for the abolition of Colonial slavery, I regret that no opportunity has been afforded to the House of Assembly of this Island, whereby their opinion upon that subject can be with any certainty ascertained. But if any inference may be drawn from the events of to-day, I should augur that such reception would be favourable to the views of His Majesty's Government. The subject, as your Excellency knows, was, in the first instance, referred to a joint committee, and I did not expect that any debate or discussion would ensue until we had their report. Upon the casual introduction of the petition of the Legislature of Barbadoes, which, by the way, was not a very auspicious promise for a tranquil consideration of the subject, the House went to-day into a committee for the purpose, as I was afterwards informed, of ascertaining my sentiments. I took the opportunity of saying that I felt assured when the discussion should be legitimately brought on, that the House would see the expediency of adopting the Parliamentary Resolutions; and it was with great satisfaction that I heard the sentiment very loudly cheered. No other member offered a single observation upon the subject.

The cheer and the silence are to me indications that the principle of the measures will be adopted. As to its details, they are necessarily of a character so intricate and formidable as to make difference of opinion inevitable.

I know not how far your Excellency may think it expedient, in the absence of a better assurance, to convey these crude and unauthorized sentiments to Mr. Secretary Stanley. At all events, your Excellency will have the goodness to bear in mind that I am merely individually, and not officially, responsible for their accuracy.

I have, &c.

To his Excellency Lieut.-governor Nixon, &c. &c. &c. (signed) *R. W. Pickwoad.*

— No. 189. —

Copy of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley*.

Sir, Government House, 22 Sept. 1833.

I have the honour to acknowledge the receipt of your note of the 8th August, covering the Bill for the Abolition of Slavery as amended by the House of Commons, which shall be laid before the Legislature of this Colony forthwith. No. 189.

I have, &c.

(signed) *J. Lyons Nixon*, Lieut.-governor.

— No. 190. —

Copy of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley*.

Sir, Government House, 30 Sept. 1833.

I beg leave to acknowledge the receipt of your note of the 22d August, giving cover to the Bill for the Abolition of Slavery as amended by the House of Lords. No. 190.

I have, &c.

(signed) *J. Lyons Nixon*, Lieut.-governor.

ST. CHRISTOPHER.

— No. 191. —

Copy of a DESPATCH from Governor Sir *E. J. Murray MacGregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 23 October 1833.

No. 191.

No. 1, 5 October 1833. 4 October 1833, with 3 Enclosures.

Herein I do myself the honour of transmitting a letter to my address, from Lieut.-governor Nixon, together with duplicates, therewith received, of a Despatch from that officer, forwarded to you direct, together with Resolutions of the Board of Council and House of Assembly of St. Christopher's, on the subject of your circular Despatch of the 13th June last.

No. 2, 19 October 1833.

Had the original documents been submitted to me in the first instance, I should have considered it my duty to return that from the House of Assembly, for the reasons stated in my reply to the Lieutenant-governor, of which a copy is subjoined.

I have, &c.
(signed) *E. J. Murray MacGregor*, Governor.

Enclosure 1, in No. 191.

Sir, St. Christopher's, Government House, 5 October 1833.

Enclosure 1, in No. 191. 3 October 1833.

I have the honour to transmit to you copies of the Resolutions of the Board of Council and House of Assembly of St. Christopher's on the subject of Mr. Secretary Stanley's circular Despatch of the 13th June last, enclosing the Resolutions of the House of Commons on the subject of the Slave Emancipation Bill, which I laid before them on the 22d July last, and which they referred to a committee of both Houses.

No steps having been taken on the subject by the committee, I called the attention of both Houses of the Colonial Legislature to this important question on the 27th of September, at which time I laid before them the Bill as amended by the House of Commons in Committee, and received by me here on the 21st September.

I have enclosed the originals of these Resolutions to Mr. Secretary Stanley by the packet direct this day, and I have to request you will be pleased to forward these duplicates.

I have, &c.
His Excellency (signed) *J. Lyons Nixon*,
the Governor of the Leeward Islands, Lieut.-governor.
&c. &c. &c.

Enclosure 2, in No. 191.

Sir, Government House, Antigua, 19 October 1833.

Enclosure 2, in No. 191.

Agreeably to the request contained in your letter of the 5th instant, the duplicates of the resolutions of the Board of Council and House of Assembly of St. Christopher's, therewith received, on the subject of Mr. Secretary Stanley's circular Despatch of the 13th June last, will be duly forwarded to the Colonial Office.

Had the originals of these documents been sent here for transmission, I am, however, under the necessity of adding, that it would have been incumbent on me to reconvey to you the resolutions of the House of Assembly, with the request that the Honourable House might be pleased to select a different channel of communicating to His Majesty's Government their dissatisfaction with the proceedings of the Colonial Minister of the Crown.

I have, &c.
The Lieut.-governor of St. Christopher's. (signed) *E. J. Murray MacGregor*,
Governor.

(True copy.)
E. J. Murray MacGregor, Governor.

Enclosure 3, in No. 191.

Sir, St. Christopher's, Government House, 4 October 1833.

Enclosure 3, in No. 191.

I have the honour to enclose you copies of Resolutions which have been adopted by the Council and Assembly of this Island relative to your Despatch of the 13th June last, accompanying the Resolutions of the House of Commons on the subject of the abolition of Colonial slavery.

The

ST. CHRISTOPHER.

The Resolutions, as you will perceive, have been adopted by the two branches separately, the Board of Council, as I am informed, not being disposed to concur in the Resolutions proposed in and adopted by the Assembly.

I have, &c.

To the Right Hon. E. G. Stanley, &c. &c. &c. (signed) *J. Lyons Nixon*, Lieut.-governor.

The joint Committee of the Honourable Board of Council and House of Assembly, appointed to take into consideration Mr. Secretary Stanley's Despatch of 13th June last,

Report,

THAT having attentively considered the said Despatch, they beg leave respectfully to recommend, for the adoption of your Honourable Board and House, the annexed Resolutions.

(signed) *Wm. G. Crooke*, Chairman.

Committee-room, 30 Sept. 1833.

St. Christopher.

AT a Meeting of the Council, held at the Court-house, on Thursday the 3d day of October 1833;

Present,

His Honour President Davoren.
The Hon. and Rev. D. G. Davis, A.M.
Thos. O'Maley, Esq., M. D.
W. G. Crooke, Esq.
Chas. Thomson, Esq.
C. G. Payne, Esq.

Resolved unanimously,

THAT the members of His Majesty's Council of the Island of St. Christopher, having given their best attention to Mr. Stanley's Despatch of the 13th June last, and being fully aware of the importance of the views contained in that Despatch, and of the magnitude of the interests to be affected by those views both in this Colony and elsewhere; and though fully sensible of the danger of carrying the proposed measures into effect in an unskilful and unadvised manner, yet confidently relying on the liberal and generous feelings of the British nation, in case of future necessity, and that the wisdom and justice of His Majesty's Government will support and encourage the well-intended efforts of those who are engaged in the same cause with themselves, will afford their cordial co-operation towards carrying into effect the measures proposed, in the safest and most desirable manner, consistently with the present and future welfare of all His Majesty's subjects in this Colony.

(signed) *Thos. Harper*, Clerk of Council.

RESOLUTIONS adopted by the House of Assembly of St. Christopher upon the subject of Mr. Secretary Stanley's Despatch of 13th June 1833.

1. Resolved, That this House cordially concurs in the opinion expressed by Mr. Stanley and his colleagues, and recognised by the House of Commons, that the success of all efforts for a peaceful extermination of colonial slavery must depend upon the cordial co-operation of the colonists, and especially of the Colonial Legislatures, which co-operation this House is ready to afford.

2. Resolved, That the labour and sacrifices which the Parliament and parent State are willing to endure for the abolition of slavery bear no proportion to the labour and sacrifices required of the unfortunate colonists for that object.

3. Resolved, That this House will not disappoint the earnest and confident hope of our most gracious King, that his faithful subjects, the House of Assembly, will approach this question with the dispassionate seriousness due to the immense interests at stake; and if, in a season of great danger and of reasonable alarm, there has been any departure from that profitable virtue, which Mr. Secretary Stanley so earnestly recommends, whereby the best feelings of the colonists have been outraged, and this Island pronounced, by his high authority, guilty of atrocities unknown in the treatment of its slaves, and identified with crimes which, if perpetrated, are a disgrace to human nature, this House will regard such departure as a warning whereby it may avoid the evils of misrepresentation and calumny.

4. Resolved, That this House duly estimates the progress of the present state of public opinion as bearing upon this question; and this House repeats its desire to unite with Parliament in the zealous prosecution of this great design by adopting any safe, equitable and practicable plan for bringing it to a successful issue.

 5. Resolved,

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5. Resolved, That the abolition of slavery, under any form, will involve most extensive changes in many parts of our colonial code of laws. That the plan proposed by His Majesty's Government seems to threaten the abrogation of every existing contract, whether of mortgage, settlement, annuity or other charge contingent upon slave labour, and that it will endanger, and, as this House fears, annihilate the complicated interests that have been created by the confidence which, till this eventful period, has obtained in the sacred character of property. That the great and arduous duties thereby to be thrown upon this House shall be cheerfully approached; but this House does not think that the greatest exercise of human foresight that the wit or wisdom of man can avert or greatly mitigate the distress and ruin in which thousands will be involved thereby.

6. Resolved, That this House deems it to be a duty thus deliberately to record its opinion upon the proposed abolition of colonial slavery, not for the idle purpose of averting any rational measure that shall safely and equitably accomplish so desirable an object, but in order that the practical experience of this House may be allowed to weigh something against the theory of His Majesty's Government, and that, if the measure shall, in its present aspect of danger, be adopted by the British Parliament, those modifications in its details which this House has suggested may not be disregarded.

7. Resolved, That the Speaker be requested to send a copy of these Resolutions to the Lieutenant-governor, for the purpose of being conveyed to His Majesty's Government.

(A true copy.)
(signed) *John Hazell,* Clerk of Assembly.

(True copies.)
E. J. Murray MacGregor, Governor.

— No. 192. —

Copy of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *E. J. Murray MacGregor,* Bart.

Sir, Downing-street, 12 December 1833.

No. 192. I have the honour to acknowledge the receipt of your Despatch of the 23d October 1833, enclosing a copy of a letter from Lieutenant-governor Nixon to yourself, together with duplicate of a Despatch from that officer, and of certain Resolutions of the Board of Council and House of Assembly of St Christopher's on the subject of my circular Despatch of the 13th June last.

I have to request you to instruct Lieutenant-governor Nixon to convey my thanks to the Council of St. Christopher's for their promise of cordial co-operation; and to express to the Assembly of that Colony my hope that by approaching the important subject which has been brought under their consideration with becoming temper and moderation, they may be able to surmount the many difficulties which unquestionably surround it.

I have, &c.
(signed) *E. G. Stanley.*

— No. 193. —

Copy of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley.*

Sir, Government House, 31 October 1833.

No. 193. On the 11th instant I had the honour to receive your circular Despatch of the 5th September, together with 24 copies of the Act for the Abolition of Slavery, and a copy of His Majesty's Proclamation of the 4th September respecting the same.

I had the several copies of the Act distributed according to your orders.

Same day I caused the Proclamation to be published in the newspapers of the Colony, and had copies of it struck off, one of which I sent to every estate in the Colony, with a circular letter to the proprietors or managers, enjoining them to read and explain the Proclamation to the slaves under their management.

I also sent copies of the Proclamation and Act to every clergyman of the Established Church, the Moravian and Wesleyan missionaries, (the only sectarians in the Colony), with a particular request that they would explain to the slaves in their respective districts all the provisions of the Act in their favour,

and

and to impress on their minds the necessity and policy of their conducting themselves peaceably, quietly and industriously during the short period of their probation, by which demeanour alone they will ensure to themselves the certainty of obtaining employment when they are thrown on their own resources at the expiration of their apprenticeship. ST. CHRISTOPHER.

I am happy to say that I have heard of very few instances of discontent on the part of the slaves, but of late several robberies have been commited, hitherto almost unheard of. The church and the secretary's office have been broken into; but, strange to say, even these occurrences will not induce the Legislature to incur the expense of a police, frequently recommended by me, and which recommendation I will still endeavour to have attended to.

I have the honour to report to you that several persons, who, when in a state of slavery, were taken by their possessors to Great Britain, have availed themselves of the 3d clause of the Abolition Act, and have claimed their freedom, which of course they have obtained; but their former owners are much discontented at being deprived of their services, and claim compensation; some of them claim the services of those people as apprentices in like manner as those slaves who are to be set free on the 1st of August next.

I have taken the opinion of the Attorney-general of this Colony, and I herewith enclose a copy of it, with a request to be instructed if his view of the question is correct. Perhaps I am premature in intruding this request, as possibly instructions may arrive to set aside the necessity of doing so; but being most anxious on every circumstance connected with this great and important change about to take place in these Colonies, I trust I may be excused.

I have, &c.

(signed) *J. Lyons Nixon*, Lieutenant-governor.

Enclosure in No. 193.

Sir, Basseterre, 24 October 1833.

I have had the honour of receiving your letter of yesterday's date, containing an enclosure from Mr. Henry, and requesting my opinion upon certain points arising out of the new Act for the Abolition of Slavery. Enclosure in No. 193.

1. Supposing the slave in question to have been taken to England with the consent of his possessor, I am of opinion that he is now, by virtue of the 3d clause of this Act, *absolutely and entirely free to all intents and purposes whatsoever*, and,

2. That he is consequently not liable to serve as an apprentice under this Act. The words in italics are the very words of the Statute, and words less susceptible of misconstruction it would be difficult to have found. Apprenticed labourers are nowhere throughout this Act spoken of in any such terms.

3. I proceed to the question, "Whether owners of slaves coming within the operation of the 3d clause are entitled to compensation? In the clause (24) which empowers the Treasury to raise the twenty millions, mention is made of compensation for the services of the slaves to be *manumitted and set free by virtue of this Act*; and undoubtedly the slave in question would not have been made free but by virtue of this Act. In clause 47, mention is made of apportioning the compensation among the proprietors of the slaves to be manumitted by virtue of this Act, and this expression also appears to include the slave in question. This is all I can find in favour of a right to compensation in those persons whose slaves come within the operation of the 3d clause. On the other side, the 1st clause of the Act points out, as the main object of this Act, a class of persons who are to become apprenticed labourers on 1st of August 1834, and the slave in question cannot be brought within that class. The clause (45) which directs the apportioning the compensation fund into certain shares requires the Commissioners to have regard to the *number of registered slaves*; and how is the slave in question to be legally a registered *slave at the time* when the Commissioners are to perform this duty, he being already free to all intents and purposes?

The clause (47) which prescribes the duties of the Commissioners more in detail requires them to have regard to the relative value of *prædial slaves* and of *unattached slaves*; to *distinguish such slaves into classes*; to ascertain and fix the average value of *slaves*; in short, every object of their inquiry has reference in some way or other to *slaves, i. e.* to persons who at the time of their inquiry shall be held in a state of slavery. I would also observe, that it is difficult to suppose, considering the various revisions which this Act has undergone, and the great attention which it has received, that the Parliament should not have been aware of the effect of the *third clause*; and if they had intended to give compensation to the persons whose slaves were made free by this clause, they would have declared such intention, either by specific words to that effect, or in the course of their instructions to the Commissioners.

The principle of this Act is a reciprocity of services and support between the manumitted slaves

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slaves and the persons entitled to their services, and I think compensation is only to be given where this reciprocity can prevail; but in the case of slaves made free by the 3d clause, the owner is entitled to no services, nor is he bound to support his manumitted slave. The preamble of the Act also throws light on this question, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of *such* Slaves;" from which words I infer that compensation is to be given for those manumitted slaves whose industry may be promoted by this Act; but the persons manumitted by the 3d clause being now become absolutely free, will be no more affected by the provisions of this Act than any other free persons in the community.

Upon the whole, after a careful perusal and consideration of the whole Act, I am of opinion, that persons whose slaves may have become free by the 3d clause of this Act will not be able to establish a claim to compensation for the loss of such slaves.

Your Excellency will observe that, to avoid circumlocution, I have several times used the word "slave" when I meant to express a person formerly a slave, now become free.

I have, &c.

His Excellency the Lieut.-governor, &c. &c. &.

(signed) *Charles Thomson.*

— No. 194. —

Copy of a DESPATCH from Governor Sir *E. J. Murray MacGregor* to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 18 Nov. 1833.

No. 194.

Observing from his Despatch of the 31st October, that the Lieut.-governor of St. Christopher's requests your instructions, in reference to Mr. Attorney-general Thomson's sentiments, relative to persons claiming freedom, under the 3d clause of the Abolition Act, I consider it proper to submit to your consideration transcripts of a letter to my address from the Lieut.-governor upon the same subject, and of my reply, accompanied by the opinion of the Attorney-general of Antigua.

No. 1, 28 October 1833.

No. 2, 15 November 1833.

No. 3, 13 November 1833.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

Enclosure 1, in No. 194.

Sir, St. Christopher's, Government House, 28 October 1833.

Enclosure, 1, in No. 194.

Questions have been submitted to me that have arisen out of the 3d clause of the Act for the Abolition of Slavery, which I laid before the Attorney-general for his opinion. I have received that opinion, and I have the honour to enclose you a copy of it herewith.

24 October 1833.

The opinion does not satisfy some of the possessors of slaves who have been taken to the United Kingdom, as they imagined they are entitled to have the services of those people as apprenticed labourers, and that they will be entitled to compensation in like manner as the possessors of slaves who are to be emancipated on the 1st of August next.

I consider the best course for me to pursue on this occasion is to show all concerned the Attorney-general's opinion, and if they are not satisfied with it, to refer them to their legal advisers.

I shall feel obliged to you to acquaint me, at your convenience, whether you approve of the mode I have adopted of settling this point.

I have, &c.

His Excellency the Governor of the Leeward Islands, &c. &c. &c.

(signed) *J. Lyons Nixon*, Lieutenant-governor.

Enclosure 2, in No. 194.

Sir, Government House, Antigua, 15 November 1833.

Enclosure 2, in No. 194.

In acknowledging your Despatch, No. 90, of the 28th ult. I have the honour to intimate my entire approval of the course you have adopted, as therein explained, in relation to slaves who have been in the United Kingdom.

13 November 1833.

Mr. Attorney-general Lee's opinion upon the subject is annexed.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

To the Lieutenant-governor of St. Christopher's, &c. &c. &c.

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Enclosure 3, in No. 194.

Sir, St. John's, Antigua, 13 November 1833.

I CONCUR in the opinion of Mr. Attorney-general Thomson, that by the 3d clause the negro is entitled to the most unqualified freedom, and that he cannot by any means whatever be held in apprenticeship. The compensation will be a subject of discussion before the Commissioners. Enclosure 3, in No. 194.

I have, &c.
(signed) *W. Lee*,
Attorney-general.

To His Excellency Sir E. J. Murray MacGregor, Bart.
&c. &c. &c.

— No. 195. —

COPY of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley*.

Sir, St. Christopher's, Government House, 20 Nov. 1833.

I HAVE the honour to acquaint you that the Legislature of this Colony assembled for the despatch of business on the 5th day of this month, and that the members of the new annual Assembly were that day sworn in. No. 195.

I thought it necessary to lay your circular Despatch of the 5th of September before both Houses of the Legislature, and to address them on the subject of it. A copy of my address, together with copies of the replies of both Houses, with my answers thereto, are herewith enclosed.

I am happy to report, that as far as I am able to form a judgment, I consider that both the Council and Assembly are determined to act agreeably to the promises made by them in their answers to my address, both with temper and promptitude to carry into effect the views of His Majesty's Government in the great work of emancipation by their local enactments and subordinate details.

Several bills are in preparation, to be laid before the Legislature at their next meeting, for altering, repealing and amending Acts now in force, so as to adapt them to the change about to take place, and to regulate the various relations of the apprenticed labourers both to their employers and to the State.

The Legislature look forward with no small degree of anxiety for the promised model for their guidance in the general principles on which to frame their supplementary enactments; and they anticipate that the promulgation of the proposed Orders in Council will obviate every seeming obstacle that may at present appear formidable.

I have, &c.
(signed) *J. Lyons Nixon*,
Lieutenant-governor.

(Enclosure in No. 195.)

Mr. President and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

THE late session of the Assembly having so nearly approached its legal termination, I deemed it expedient, with the advice of the Privy Council, to dissolve the House by proclamation, that no interruption might take place in the consideration of the important measures which must immediately occupy your attention in consequence of the passing of the Act for the Abolition of Slavery in the British Colonies. Enclosure in No. 195.

With a due regard to the constitutional privileges of the Colonial Legislatures, and relying upon their experience and practical knowledge, the Imperial Parliament has left the details necessary for carrying this great undertaking into full effect to be framed by them.

His Majesty's Government has intimated an intention of supplying you with a model for your guidance; "not," as Mr. Secretary Stanley observes, "for servile imitation, but sufficiently developing the general principles on which it is expected the supplementary enactments will be framed."

As the measure is now part of the law of the land, and can only be brought into safe and beneficial operation in this Island by your cordial and willing exertions, I indulge the hope that you will enter upon the consideration of this question (certainly the most momentous that ever engaged your attention) with that calmness which is due to the great interests at stake; that you will bear in mind the great influence of rank, character and

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intelligence against which His Majesty's Government have had to contend in the progress of this measure through Parliament, supported as it has been by the all-powerful force of public opinion; that you will consider the liberal spirit by which their counsels have been guided; and that you will zealously co-operate with them in bringing the measure to an issue that shall conduce to the safety and welfare of all classes of the inhabitants of this ancient colony.

This Act will render necessary very extensive changes in our social system; and independently of the relations in which the labourers and their employers will at a future period stand towards each other, many parts of our colonial code not directly connected with slavery will be affected by the change, and must be considered with a view to adapt them to the altered state of our society.

It is reasonably to be expected that in the consideration of questions involving such important consequences great apparent difficulties will present themselves, but I feel assured that all obstacles will be overcome by your steady perseverance and true patriotism.

Mr. Speaker and Gentlemen of the Assembly,

It is consistent with the strictest economy to be prepared, in a financial point of view, for any emergency that may occur.

I therefore recommend you to adopt such measures as may be necessary for preserving the public treasury in good credit.

I also recommend to your consideration the necessity of having that highly constitutional force, the Island militia, placed in the most efficient state with respect to arms and equipments. As the Militia Law will shortly expire, you will no doubt make that Act one of your earliest considerations.

I beg strongly to suggest the propriety of enacting a law for establishing a police in the several towns of the Island, and providing for the due support thereof. This measure was at all times desirable: it has now become indispensable.

Mr. President and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

I cannot take my leave without impressing upon you the importance of the position which you at present occupy. The commercial and agricultural interests of your constituents are in your hands. The welfare and prosperity, or the misery and destitution, of the inhabitants of this colony, will in a great degree depend upon the steps you are now about to take.

May your deliberations tend to advance the interests and promote the happiness of all classes of the community in the way most conducive to their permanent welfare.

(signed) *J. Lyons Nixon,*
Lieutenant-governor.

REPLY of the Council to His Excellency Lieutenant-Governor *J. Lyons Nixon,* &c. &c. &c.

Sir,

We, the Members of His Majesty's Council, beg your Excellency to accept our sincere thanks for your speech at the opening of the new session.

We venture to hope that our earnest exertions safely and satisfactorily to carry into full effect the provisions of the Act of the Imperial Parliament for the Abolition of Slavery in the British Colonies will completely justify the reliance which has been placed on us as a branch of one of the Colonial Legislatures to whom the details of this important measure have wisely and considerately been left.

We await with deep anxiety the arrival of the "model" which His Majesty's Government designs to supply for our guidance; and we are prepared, in the spirit of liberal dependance on the wisdom and integrity by which we trust it will be framed, to adopt, as far as may be practicable, its general principles, and thus release ourselves from a part of the painful labour which otherwise we should have had to encounter, and secure the approbation of the authority to which we must finally submit.

We trust your Excellency's expectation, that we shall enter upon the consideration of the question with that calmness which is due to the great interests it involves, will be most amply realized; and in sincerity we assure you, that as the measure is now a part of the law of the land, our willing and cordial exertions shall be used to bring it, as far as may be possible, into safe and beneficial operation in this Island.

We rely for the due appreciation of our efforts, and the just construction of those supplementary enactments we are called upon to make, on a necessary accordance of opinion and feeling among all parties; and that the imitation by other nations of the example of Great Britain and the perpetuation of the blessing of freedom must depend on the successful issue of this great measure.

We are aware that very extensive alterations in our colonial code will now be rendered imperatively necessary; and though in apprehension of the many obstacles by which we shall be surrounded, notwithstanding the assistance we may derive from the promised "model," and in the conviction of the difficulty of grappling at once with so large a measure,

sure, we are ready and willing to afford our best assistance in adapting all our local laws to those great alterations in the condition of our social and civil system which will be consequent on the recent enactment.

We cannot conclude without thanking your Excellency for the expressions of your sense of the critical importance of the situation in which we are placed; but with your Excellency we indulge in the hope that our deliberations may tend to advance the interests, promote the prosperity, and conduce to the permanent welfare of all classes of the community.

(signed) *J. Davoren*, President,
and Seven other Members of the Council.

Council Chamber, 4 Nov. 1833.

Mr. President and Gentlemen of the Council,

I HAVE much pleasure in receiving the address which you have been pleased to present in answer to the speech which I had the honour to make at the last meeting of the Legislature.

I am highly gratified that you so fully concur with me as to the great importance of the measures now about to form the subject of your deliberations; and I receive with perfect confidence, and fully rely on the assurance of your readiness to co-operate with the other branches of the Legislature in framing such enactments as shall be conducive to the prosperity and general welfare of the Colony.

(signed) *J. Lyons Nixon*,
Lieutenant-governor.

Government House, St. Christopher's,
14 November 1833.

REPLY of the Assembly.

To His Excellency *J. Lyons Nixon*, Lieutenant-governor, &c. &c. &c.

May it please your Excellency,

WE, the Members of the Commons House of Assembly of St. Christopher, beg to return our thanks to your Excellency for the address which you have been pleased to deliver to us at the opening of the present session; and we duly appreciate your Excellency's motive for dissolving the late House.

This House will take the earliest opportunity of considering the important Act which has passed the Imperial Parliament for the Abolition of Slavery; and we will enter upon our deliberations with that calmness which is due to the great interests at stake.

At so unexampled a crisis, when the all-powerful force of public opinion has rendered necessary an Act which to a fearful extent involves the great interests confided to our care, and which will render necessary very extensive changes in our social system, we may reasonably expect great difficulties will present themselves; but we are willing to hope that the temperate and liberal spirit which we are determined shall guide our counsels, will contribute in no trifling degree to remove any obstacle which may present itself in the great work of emancipation.

We shall endeavour to be prepared in a financial point of view for any emergency that may occur.

The consideration of the militia force of this Island with respect to its efficiency, and the militia law, which will shortly expire, together with the propriety of establishing a police in the several towns of this Island, shall in due course occupy our deliberations.

We cannot take leave of your Excellency without expressing our warmest acknowledgments for the ready acquiescence which has been shown on all occasions by your Excellency in every measure calculated to be beneficial to this Colony, and the temperate and impartial discharge of the duties attached to your command towards all classes of His Majesty's subjects in this community.

Accept, Sir, the assurances of our highest consideration, and of our earnest desire for the prosperity of yourself and family.

(signed) *R. W. Pickwoad*,
Speaker.

Assembly Room, 14 Nov. 1833.

Mr. Speaker and Gentlemen of the House of Assembly,

I RECEIVE with very great satisfaction your reply to the address which I had the honour to make to you on the opening of the new House of Assembly on the 5th instant.

I have to express my perfect confidence in the assurances made to me of your determination to meet the arduous task committed to your counsels with that liberality, willingness and temperate spirit so essentially necessary in your present deliberations. I feel no doubt but by your ability and perseverance you will speedily overcome any obstacles that may at present appear formidable.

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I beg to offer you my warmest thanks for the tribute of your approbation of my conduct since my arrival in the Colony, and for your kind wishes for the prosperity and welfare of myself and family. It will be my study and earnest desire to deserve, by a conscientious discharge of my duty, a continuance of your good opinion.

(signed) *J. Lyons Nixon,*
Lieutenant-governor.

Government House, St. Christopher,
14 Nov. 1833.

— No. 196. —

COPY of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley.*

Sir, Government House, 30 Nov. 1833.

No. 196.

I HAVE the honour to report to you that the Council and Assembly of this Colony met on the 28th inst., and that I laid your circular Despatch of the 19th October, together with the copy of the draft for the Order in Council

29 November 1833.

which accompanied it, before both Houses, by message, a copy of which message I herewith enclose you.

A joint committee has been appointed to meet on Monday the 2d of December, "to consider the Statute 3 & 4 W. 4. c. 73, Mr. Stanley's Despatches, and all things connected with the abolition of slavery, and to report thereon as soon as may be; and also to report on the expediency of adopting the resolutions connected therewith."

I have, &c.
(signed) *J. Lyons Nixon,* Lieut.-governor.

Enclosure in No. 196.

Mr. President, and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

Enclosure in No. 196.

I HAVE the honour to lay before your Honourable Board and House a draft of the Order in Council which it is proposed to issue for the purpose of carrying into effect, in the Crown Colonies, the Act of the British Parliament for the Abolition of Slavery. This is the "model" which has been referred to as "developing the general principles upon which it is expected the supplementary enactments will be framed." It is, however, stated in the prefatory observations which are prefixed to the draft, that "there are various minor and subordinate provisions which are purposely omitted, with a view to brevity, but which would be supplied if this draft were assumed as the basis of actual legislation."

This draft has been accompanied by a Despatch from Mr. Secretary Stanley, in which he states, "that Parliament will be disposed to place the most candid and liberal construction upon the Acts which may be passed, provided that they bear upon the face of them a real and sincere desire to act up to the spirit and intention of the British Parliament and people."

The whole of this Despatch is so important, as conveying the sentiments of His Majesty's Government as connected with this question, and breathes such a spirit of candour and liberal feeling throughout, that I feel I shall be acting in perfect accordance with Mr. Secretary Stanley's views by communicating its contents to you; I have therefore directed a copy of it to be laid before you.

I trust that you will now lose no time in perfecting the details, by which this great and important measure may be beneficially and permanently settled.

It is highly gratifying to reflect upon the orderly and peaceable conduct of the labouring classes, the natural consequence of the care and attention which they experience from those under whose authority and protection they are placed; and I fervently hope that the final arrangement of this very delicate question may be such as will maintain and strengthen the harmony which now so happily subsists between the labourer and his employer.

(signed) *J. Lyons Nixon,* Lieut.-governor.

Government House, 28 Nov. 1833.

— No. 197. —

Copy of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *E. J. Murray MacGregor.*

Sir, Downing-street, 7 Jan. 1834.

I request that you will have the goodness to intimate to the Lieut.-governor of St. Christopher's that I have received his Despatch of the 30th November, enclosing a copy of his Message to the Legislature upon the subject of my circular Despatch of the 19th October. No. 197.

I have, &c.
(signed) *E. G. Stanley.*

— No. 198. —

Copy of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Stanley.*

Sir, Government House, 10 July 1834.

The packet left this Island on the 4th instant, since which time the negroes throughout the whole Colony have evinced the most rebellious conduct: they are determined to resist the apprenticeship system, and have declared with one voice to myself that they will strike on the 1st August, and only work for wages, and that they will dictate terms, being convinced from the King's Proclamation that they are to have unrestricted freedom on the 1st August next. No. 198.

The inhabitants of this Colony finding that the negroes had imbibed such erroneous ideas on this subject, solicited me to undeceive them, and to explain to them the actual position in which they would stand on the 1st day of August next. I summoned a Privy Council, and it was determined on, that I should assemble five per cent. of the negroes from each estate in a central spot in each of the nine parishes in the Colony, and read to them the address I now enclose you. In some places I succeeded in getting through the address; but the generality of parishes would not listen to it, and showed the greatest disposition to riot, and actually committed violence before my face upon the overseer of one of the estates.

I have the honour to enclose you a resolution of the Legislature passed this day; and, having the opportunity of a schooner bound for Cork, to give you the foregoing information I embrace it, and have only a moment to do so.

I have, &c.
(signed) *J. Lyons Nixon,* Lieutenant-governor.

Enclosure 1, in No. 198.

To the Labouring Population.

The near approach of the 1st of August, when your condition will be so much changed, makes it necessary that the new law should be made known to you all; and I take the trouble to speak to you myself, that no ignorance may longer continue on this subject. It has been represented to me that there are many persons among you who know nothing about the new law; or if they do know something about it, that their knowledge is so imperfect generally as to mislead rather than direct them in the performance of their duties after the 1st of August. There are many sensible persons in the Island who might give you all the information on this subject that I shall endeavour to do to-day; but that no person may think to escape punishment for disobeying the law because he was not properly made acquainted with it, I take upon myself to explain your new duties. The execution of the law is placed in my hands, and I should betray the trust the King has reposed in me if I permitted any disobedience to the law, which, in other words, is the King's commands. Now listen to what I am going to tell you. When the 1st of August comes, you will be no longer slaves, but will have to labour for your present masters a certain number of hours in every week, that is, for 45 hours. How your present employers will have this number of Enclosure 1, in No. 198.

ST. CHRISTOPHER.

hours, the law leaves them to tell you. One way of working may suit one estate, and another way another estate; but you will remember that this is all the time you can be compelled to labour, (except on emergencies, in tending cattle, and watching and preserving your masters' properties), and whatever more your masters may require of you must in some way be paid for by them. If you work seven hours and a half every day in the week, your masters will have from you all the law gives them. If you work nine hours for five days, there will be one whole day which will belong to you, because nine hours for five days will make the 45 hours I have mentioned. This is what the law calls apprenticeship, but you are not to be led away by a name, and to suppose that this apprenticeship is like that which some of you may have seen in this Island; and you will soon see that there is this difference: your masters, in your apprenticeship, have not the power of punishing except by complaining to the magistrates particularly appointed by the King to hear all complaints your masters may have against you, and your complaints against your masters. This is the especial business of the new magistrates. You that are field servants, tradesmen, and all concerned in estates' duties are, under the new law, to serve your present masters for six years. You that are domestic or house servants, for four years. The reason of the difference in the time that some of you have to serve is this: field servants are compelled to work for little more than half the day; but house servants are liable at all times, both night and day, to obey their present masters. During the six years in the case of field servants, and four years' service of domestic servants, the law gives you all the same allowance of food, clothing and medical attendance that you are now entitled to. No person need fear punishment who performs his duty. The new magistrates are sworn to do you justice. Those who were good servants under the old law will certainly be good servants when they are free. Those persons whom it has been found necessary under the old law sometimes to punish, have now an opportunity of assuming a new character. All old offences will be forgotten, and every one treated as good and obedient people deserve to be treated, till they show their ingratitude for the consideration the King has had for them, and then they will most certainly bring down upon themselves the punishment the law orders for all offenders. You ought to be told some other provisions in the new law. Some of you may have saved a little money even in a state of slavery, and those who have done so may purchase their discharge from their present master, and employ themselves in any honest occupation they can find. How those who have money are to set about buying their discharge the new magistrates will inform you, and the new laws will be soon printed, when those who can read will learn this themselves. All your children not six years of age on the 1st of August next will then become free, and your present masters will not be bound to maintain them; they will be entirely dependent on their parents. It will be the duty of parents to bring up their children in the paths of honesty and industry: according to the teaching these children receive from their father and mother, will be the benefits all parents will a few years hence receive from them. Many of you in your old age must be fed and taken care of by your children. Early lessons, such as I recommend, can alone ensure you any comfort from having a family. I shall only add, that while the advantages of the new law are made for all of you, the punishment it contains are only intended for those who deserve them. In England idle people, and those who will not work, are taken up as vagabonds and punished, and the same laws will be in force here. Let no one deceive you, and say that the good can be deprived of their advantages, or the bad escape punishment. No one of you now can say that he did not understand the law. Let me warn you all to be obedient to it. I promise protection to the good, as I will assuredly punish the conduct of the bad.

1 July 1834. *John Lyons Nixon,* Lieutenant-governor.

I have omitted to tell you that the law says that every master or employer has authority to release you from that part of the law which calls you apprentices whenever he thinks proper; and it is very likely that some masters may choose to do so at different periods. I have heard that some masters do not wish to take you as apprentices. But you must not deceive yourselves. If any master chooses to say he will not have apprentices, you must not think that will release you from labour; there are other laws that will then compel you to work.

Enclosure 2, in No. 198.

St. Christopher's.

AT a Meeting of the Council and Assembly, held at the Court House, on Thursday the 10th day of July 1834,

It was Resolved,

Enclosure 2, in No. 198.

THAT his Excellency the Lieutenant-governor be requested to appoint a guard in each parish in the Island, sufficient to ensure a communication throughout the whole of the Colony at the least possible notice, and that his Excellency be requested to provide flagstaffs, with colours, lanterns and rockets, for the purpose of facilitating such communication.

That three dozen copies of the Riot Act be printed and distributed to the magistracy.

That

That it is with extreme concern that the Board and House are now obliged to notice the state of insubordination of the slaves in this Island, who openly and generally declare their intention to resist the laws of this Island, framed for the purpose of carrying into effect the Act of the Imperial Parliament, 3 & 4 Will. 4, c. 73. ST. CHRISTOPHER.

That this House and Board cannot sufficiently express their indignation at the insult and indignities which the slaves offered to his Excellency the Lieutenant-governor within the last few days, when his Excellency visited them to explain the said Act of Parliament.

That this House and Board view with great alarm the unprotected state of this Colony at this important crisis, knowing that the militia force is very small, and that the number of His Majesty's troops stationed here is inadequate to preserve the safety of this Colony.

That his Excellency the Lieutenant-governor be requested to communicate forthwith with his Excellency Sir E. MacGregor, praying him to procure an increase of the military force in this Island without delay, and to forward to Sir E. MacGregor a copy of these resolutions.

That this House and Board cannot enumerate the many instances of insubordination, riot and insult which have lately been evinced by the slaves of this Island; but they request his Excellency the Lieutenant-governor to mention in his Despatch such as he is personally aware of.

That a committee be appointed to procure a vessel, at the public expense, to take his Excellency the Lieutenant-governor's Despatches founded hereon to Antigua and Barbadoes.

(signed) *Thomas Harper*, Colonial Secretary.

— No. 199. —

COPY of a DESPATCH from Lieutenant-governor *Nixon* to Mr. Secretary *Spring Rice*.

Sir, St. Christopher's, Government House, 17 July 1834.

I HAVE the honour to forward to you a duplicate of my hurried Despatch of the 10th July, addressed to Mr. Stanley, and I now take the opportunity of a remaining vessel to acquaint you that this Colony has been tolerably quiet since the 10th, at least no open act of violence has taken place, though the negroes openly declare their determination not to work after 1st of August, except for wages, which determination I am of opinion they will adhere to. I very much regret to say that there is not a sufficient force in the Colony to enforce the law if resisted, there being only 239 rank and file of regular troops, and not more than about 500 of the militia, extremely badly equipped and armed, and also in a wretched state of discipline. There is not one entire set of accoutrements in the whole militia force. No. 199.

I regret to add that there is no police in the Colony, and the Bill which was passed by the Legislature to form a police has not been assented to, and consequently a police cannot be raised until the Bill arrives assented to.

I have represented all those circumstances to the Governor, Sir E. J. Murray MacGregor, and have applied for more troops, which I trust I shall get, as the Legislature have sent an advice-boat up to Barbadoes praying for a reinforcement.

It is impossible to say how the negroes will act after the 1st of August. My own opinion is that there will be a passive resistance to work under the apprenticeship system, and it will be impossible to coerce them unless we have a sufficient force to do so.

I have, &c.

(signed) *J. Lyons Nixon*, Lieutenant-governor.

— No. 200. —

COPY of a DESPATCH from Governor Sir *E. J. Murray MacGregor* to Mr. Secretary *Spring Rice*.

Sir, Government House, St. Christopher's, 21 July 1834.

FROM the accompanying documents it will be collected that, on the 12th inst., advices reached me, from the Lieut.-governor of St. Christopher's, that opposition was threatened, on the part of the negroes of this Island, to the approaching No. 200.

ST. CHRISTOPHER.

approaching system of apprenticeship; that, after consulting the Antigua Privy Council, I directed the sloop Blossom to proceed that evening on her voyage with my despatches for his Excellency Sir Lionel Smith at Barbadoes; that His Majesty's ship Wasp was employed to carry thence a supply of arms and ammunition for the militia to St. Christopher's direct; that on the 19th inst. His Majesty's ship Belvidera arrived at English Harbour, where a company of His Majesty's 36th regiment embarked that evening; that I repaired on board next morning, and before night reached this place, and that I have to-day issued a Proclamation to the inhabitants, and have personally conferred with the local Legislature.

The detachment of the 36th regiment will land to-morrow, when the Belvidera, in which it is my intention to re-embark, is to sail for the Virgin Islands, the Wasp continuing here. I am desirous, if possible, of touching at Montserrat and Nevis also, and still to return hither on or before the 1st proximo, in order to pursue such measures as may then be required by the circumstances of this Colony.

The prompt attention of the Major-general commanding the forces to my application has proved highly beneficial and well timed; and I cannot too forcibly express my sense of obligation to Captain Strong of the Belvidera, commanding His Majesty's Barbadoes squadron, for the cordial and considerate co-operation most opportunely obtained from this experienced officer.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

Enclosure 1, in No. 200.

Sir, St. Christopher's, Government House, 10 July 1834.

Enclosure 1, in No. 200.

I AM extremely sorry to report to your Excellency that the negroes of this Island have manifested a very great spirit of insubordination and resistance to the authority of their owners for some time past, in consequence of which I was solicited by the inhabitants to visit the estates, and explained to the negroes the exact position in which they would stand on the 1st of August next, and the Privy Council very much approved of the measure, and framed an address for me to deliver to those people, one of which I have the honour to enclose herewith.

For Lieut.-governor Nixon's Address to the labouring population, dated 1 July 1834, *vide* Enclosure in his Despatch, 10 July, page 63.

I appointed a place of meeting in each of the nine parishes, and had five per cent. of the negroes of each estate in the parishes assembled to hear the explanation of the law read to them; and on Saturday last, the 5th inst., I addressed the people of two parishes in the vicinity of town, and I regret to say that their conduct was highly insubordinate and disgraceful. They *unâ voce* protested against the apprenticeship system, declaring their resolution to resist it, and not to work after the 1st of August without wages, saying that on that day they were to be free, as announced by the King's proclamation, and that their masters could not take their houses or provision-grounds from them, having so long occupied them; many of them observing that they had as good a right to be free as the negroes of Antigua, and that the Governor of Antigua, who was the Governor of St. Kitt's also, had made them free, and that I was only Lieut.-governor, and was brought by the white men to deceive them, but when Mr. Cleghorn returned from England he would bring out these free papers, for which purpose he had gone to the King, as I was bought by their owners to cheat them. They hooted, and in some instances threw banana husks at or towards me, and walked off shouting, and could not be brought back by their owners or overseers.

On the last place of meeting that day I could not get them to listen to a word, and when I was returning home, I was followed a considerable way by crowds making a most hideous noise.

I proceeded on Tuesday and Wednesday to the other seven parishes, and met with no better success. At one place it was contemplated to cut my horses' throats and break my carriage, but no mischief happened except at the last place, when the overlooker of an estate was most roughly handled in my presence, and probably would have been murdered had not two of the most active of the rioters been seized and sent to gaol.

The Legislature is sitting this day, and, though late, I believe they will do all in their power for the security of the Colony; as yet we have no police. Our police stations are not fixed upon; no auxiliary constables sworn in; the militia worse than can be expressed, for want of arms and accoutrements. Having now explained to your Excellency the state of the Colony, I have to intreat you will give it your favourable consideration, and move the commander of the forces to send at least three more companies for the protection of the lives and properties of the inhabitants which are in such immediate danger.

The Legislature have acquainted me that they will request me to send a communication from

from them to-morrow by an express-boat to your Excellency, praying for an immediate reinforcement of troops, I shall therefore not detain the mail-boat any longer, having kept her near two hours already. ST. CHRISTOPHER.

I have, &c.

To His Excellency
The Governor of the Leeward Islands,
&c. &c. &c.

(signed) *J. Lyons Nixon,*
Lieut.-governor.

Enclosure 2, in No. 200.

Sir, St. Christopher's, Government House, 11 July 1834.

SINCE my Despatch of yesterday to your Excellency by the mail-boat, I received the enclosed resolutions of the Legislature; I lose no time in forwarding them to Antigua by the sloop Blossom, with the hope that your Excellency will be pleased to send her on to Barbadoes, with a request to the Commander of the Forces to send immediately a reinforcement of three companies to this Island. Enclosure 2, in No. 200.

The alarm created by this open combination, and the determination of the negroes, have driven some families who resided in the country to seek refuge in Basseterre, and, as far as I can learn, many more are coming in this morning.

Of course more alarm exists than perhaps there is any ground for, though I must confess I am not surprised at such feelings.

I have requested the officers commanding the troops on Brimstone Hill to send in, in the most quiet way, barrack accommodation for a reinforcement of 30 men for Basseterre, but I am extremely reluctant to comply with the urgent request of the inhabitants to bring in the troops, which I will not do as long as I can avoid it.

I have taken every precaution that I can think of to prevent any surprise on the militia arms by having them deposited near to their alarm posts under a militia guard of picked men; and at the same time I have ordered the arms to be repaired and put in order ready for service, and have issued ammunition.

I should hope that by the vessel which carries this Despatch his Excellency the Commander of the Forces will be pleased to send us the arms and accoutrements intended for St. Christopher's, and so very much wanted here, a requisition for which I forwarded to your Excellency yesterday in my Despatch of the 3d inst.

Informations have been laid against some persons accused of exciting the negroes to resist the law, and the investigations are to take place this morning.

The Assembly seem now to open their eyes to their situation, and I trust that their exertions may produce some good.

Should your Excellency think proper to employ the Blossom sloop, which carries this letter up to you, to proceed to Barbadoes with the requisition for troops, she is chartered for that purpose, to be paid for from this treasury, and it will be a very good opportunity for her to take in the arms and accoutrements at Barbadoes intended for St. Christopher's.

I have, &c.

To His Excellency
The Governor of the Leeward Islands,
&c. &c. &c.

(signed) *J. Lyons Nixon,*
Lieut.-governor.

Enclosure 3, in No. 200.

St. Christopher's.

AT a Meeting of the Board of Council and House of Assembly, held at the Court-house, on Thursday the 10th day of July 1834,

It was Resolved,

THAT his Excellency the Lieut.-governor be requested to appoint a guard in each parish in the Island sufficient to ensure a communication throughout the whole of the Colony, and at the least possible notice, and that his Excellency be requested to provide flag-staffs, with colours, lanterns and rockets, for the purpose of facilitating such communication. Enclosure 3, in No. 200.

That three dozen copies of the Riot Act be printed, and distributed to the magistracy.

That it is with extreme concern that the Board and House are obliged to notice the state of insubordination of the slaves of this Island, who openly and generally declare their intention to resist the laws of this Island framed for the purpose of carrying into effect the Act of the Imperial Parliament 3 & 4 Will. 4, c. 73.

That this Board and House cannot sufficiently express their indignation at the insults and indignities which the slaves offered to his Excellency the Lieut.-governor within the last few days, when his Excellency visited them to explain the said Act of Parliament.

That the Board and House view with great alarm the unprotected state of this Colony at this important crisis, knowing that the militia force is very small, and that the number of His Majesty's troops stationed here is inadequate to preserve the safety of the Colony.

ST. CHRISTOPHER.

That his Excellency the Lieut.-governor be requested to communicate forthwith with his Excellency Sir Evan MacGregor, praying him to procure an increase of the military force in this Island, and to forward to Sir Evan MacGregor a copy of these resolutions.

That this Board and House cannot enumerate the many instances of insubordination, riot and insult which have lately been evinced by the slaves of this Island, but they request his Excellency the Lieut.-governor to mention in his Despatch such as he is personally aware of.

That a committee be appointed to procure a vessel, at the public expense, to take the Lieut.-governor's Despatch, founded on these resolutions, to Antigua and Barbadoes.

(signed) *Thos. Harper.*

Enclosure 4, in No. 200.

EXTRACTS of a LETTER from Sir *E. J. Murray MacGregor*, Bart., to his Excellency Sir *Lionel Smith*, K.C.B., dated Antigua, 12 July 1834, and marked confidential.

Enclosure 4, in No. 200.

IT is with extreme regret that I find myself under the necessity of apprising your Excellency that I have this day received the enclosed communications from the Lieut.-governor of St. Christopher's.

Having considered it advisable to obtain the opinion of the Privy Council of this Island upon the subject of the application from St. Christopher's for military aid, their opinion has been expressed in the following terms.

"The Board is of opinion, that as it appears by the official returns before the Board that there is already a sufficient military force at St. Christopher's for the purpose of protecting the inhabitants, although perhaps insufficient to put down opposition to the law, it would be advisable to wait the result of a communication to the Commander of the Forces at Barbadoes before any immediate measures be adopted from hence; particularly as the existing force of this garrison is not greater than is necessary for its own purposes at the present crisis."

However disagreeable may be the task of conveying the foregoing intelligence to your Excellency, I am happy in being enabled to mention that, according to every indication afforded by the past conduct of the negroes of Antigua, as well as to the information generally obtained from the proprietors and clergy, there is every reasonable prospect of the maintenance of tranquillity in this colony, notwithstanding the approaching important change in the condition of the labouring classes.

I consider it essential to put your Excellency in possession of my impression upon this subject, and consequent anxiety to render every assistance, reconcilable with the safety of Antigua, to the Island of St. Christopher's, the more especially as our former correspondence leads me to apprehend that the disposable force at your Excellency's command may not admit of numerous detachments.

It is my intention to suggest to the Lieut.-governor of St. Christopher's the expediency of remaining, if possible, passive, until the arrival there of the arms and accoutrements required for the militia, and of such reinforcements as it may be found practicable to send to his Excellency's assistance.

Your Excellency is aware of the requisitions for troops from the Virgin Islands, Montserrat and Anguilla, as well as from Nevis, (from which latter Colony I have this day received a repetition of one) for an augmentation to its garrison.

Under all circumstances, it would therefore seem imprudent to risk a further diminution of the force in Antigua, than by the employment of a company on any temporary detached service; but, should the labourers of St. Christopher's, after the 1st of August, absolutely refuse to work in the character of apprentices, it is obviously of the first importance that the difficulty should be instantly grappled with and overcome; not only with a view of restoring public order in that colony, but of obviating the still more serious evils likely to arise, should the resistance to lawful authority be successful, for such a period as to admit of the contagion spreading to the neighbouring possessions of the Crown.

A company of the 36th regiment will be held in readiness, at the Ridge, for embarkation, should your Excellency think proper to require their services; but I must rely entirely upon your Excellency and the officer commanding His Majesty's naval squadron at Barbadoes for the means of transport.

Unless any unforeseen circumstance shall previously occur in this quarter, it is my intention to proceed to St. Christopher's with whatever arms and reinforcements your Excellency may be pleased to spare on this occasion.

Should your Excellency think fit to detach a force from Barbadoes, independently of any aid from this garrison, I should hope therefore that, in that case also, the officer commanding the vessel to be employed will still be directed to touch at Antigua, and not to proceed to St. Christopher's without communicating with me.

From the similarity in our situations as Governors of several Colonies, your Excellency must be fully aware of the embarrassment of my position at the present crisis, with reference to this demand from St. Christopher's, and liability to similar appeals from the other Leeward Islands, or Dominica; a consideration only serving to confirm and strengthen my solicitude for the prompt prevention, or suppression, of the threatened disturbances in the Island of St. Christopher's.

Having thus hastily endeavoured to bring the situation of these Colonies under your Excellency's

Excellency's cognizance, I beg leave to add the assurance of my disposition to profit by such advice as your Excellency's experience may suggest, and, in my military capacity, to yield the most prompt and implicit obedience to your Excellency's commands." ST. CHRISTOPHER.

Enclosure 5, in No. 200.

Sir, Government House, Antigua, 14 July 1834.

YOUR Excellency's Despatches of the 3d, 10th and 11th instant arrived on the 12th, and on the evening of that day the sloop Blossom proceeded towards Barbadoes, pursuant to your Excellency's desire and that of the Council and Assembly, with an application addressed to his Excellency Sir Lionel Smith, commanding the forces, for a reinforcement of His Majesty's troops, as well as for a supply of arms and accoutrements to the militia of St. Christopher's. Enclosure 5, in No. 200.

The accounts of the disaffection of the negroes, and in particular of the personal indignities offered by them in several instances to your Excellency, have not failed to inspire me with the most lively regret.

I observe, however, with satisfaction, that two of the most active rioters have been secured, and sincerely hope the intended investigation may have led to the detection and exposure of any traitorous persons engaged in the criminal task of luring the labouring classes, through the medium of resistance to the laws, to their own eventual ruin.

I have, &c.

To his Excellency, (signed) *E. J. Murray MacGregor*, Governor.
The Lieut.-governor of St. Christopher's,
&c. &c. &c.

Enclosure 6, in No. 200.

EXTRACT of a DESPATCH from Sir *Lionel Smith* to His Excellency Sir *E. J. Murray MacGregor*, dated Barbadoes, 17 July 1834.

I HAD the honour to receive your Excellency's Despatch of the 12th instant at half-past seven this morning, in which you detail the demonstration of very rebellious feelings among the negroes of St. Christopher's, and solicit further military aid for that Island. Enclosure 6, in No. 200.

Captain Strong of His Majesty's ship Belvidera being in harbour, I immediately advised with him, and he has most kindly agreed to proceed in the course of this day to English Harbour, and from thence (if your Excellency sees fit) he will receive on board a company of the 36th for St. Kitt's.

He has further granted the aid of the "Wasp" brig-of-war to proceed to Basseterre, with 200 stand of arms and accoutrements, 5,000 rounds of ball-cartridge and 1,000 flints; and I anxiously promise myself the appearance of these men-of-war and the aid they contain will restore tranquillity and industry among the slave population of St. Christopher's.

Enclosure 7, in No. 200.

St. Christopher.

A PROCLAMATION,

By his Excellency Sir *Evan John Murray MacGregor*, Baronet, &c. &c. &c.
(L. S.)

WHEREAS, by a Royal Proclamation, under date the 4th day of September last, which has been published in St. Christopher's, His Majesty was pleased to direct that, "subject to apprenticeship, all persons who on the 1st day of August 1834 shall be holden in slavery," within any of the British Colonies, "will upon and from that day be absolutely and for ever manumitted and set free; and that all persons who shall then be duly registered as slaves in such respective Colonies, and actually within the same, and of the full age of six years and upwards, will by force and virtue of an Act of the Imperial Parliament become apprenticed labourers in the service of the persons previously entitled to their services as slaves; and that the apprenticeship of such labourers will terminate on the 1st day of August 1840, or on the 1st day of August 1838, according to the nature and description of the employment in which such labourers shall be severally engaged, as in the said Act set forth; and that such apprenticed labourers will during such their apprenticeships be bound by law to labour in the service of their respective employers, on such terms and conditions, and for such limited period of time, as by the said Act of Parliament, or as by Acts hereafter to be made and passed in such Colonies respectively, are or shall be prescribed on that behalf." Enclosure 7, in No. 200.

ST. CHRISTOPHER.

And whereas the said Act of the Imperial Parliament for the Abolition of Slavery, distinctly leaving it to the free choice of the Legislatures of the respective Colonies, either to adopt the particular system of apprenticeship contemplated by the Act, to shorten its duration, or to dispense with it entirely, the Legislature of St. Christopher's thence derives a title as undoubted to subject the labouring orders in this Island to the intermediate stage of apprenticeship, as the Legislature of Antigua to confer unrestricted emancipation upon the labourers there: And whereas it has been communicated to me that many negroes in St. Christopher's are strongly impressed with the erroneous belief that the liberty imparted to them by the King's Proclamation is not only unconditional, but that they are invested with a prescriptive right of property in the places of abode now occupied by them, on the plantations to which they are attached, and moreover, that they cannot be required to work without wages:

Now, therefore, it becomes my bounden duty to declare that apprentices are not only rendered liable by the Act of the Imperial Parliament to work without wages, but to make good besides such time as they may improperly abstract from the service of their lawful employers, even to the extent of seven additional years of apprenticeship, the freedom conceded to them by the King being qualified by this express reservation; and likewise to announce that long occupancy affords them no legal claim whatever to the houses in which when slaves they were permitted to reside, as is exemplified in Antigua, where well-conducted negroes, "by way of a temporary and gratuitous accommodation," are suffered by their former owners "to enjoy respectively the personal occupation of the said habitations or tenements until the 1st day of August 1835, and no longer," that is for one year only after slavery shall have expired.

And whereas it has been further represented to me that some of the negroes in different parts of this Colony have recently betrayed a lawless and rebellious spirit, and have even dared wantonly and audaciously to insult his Excellency the Lieutenant-governor while administering the Government on His Majesty's behalf: And whereas the King doth in the Royal Proclamation aforesaid set forth, "his settled purpose and resolve, by all the powers vested in him to enforce due obedience to the laws, and to prevent, and, if necessary, to repress and punish, all contraventions of the said laws;" I do accordingly invite all loyal persons zealously to aid and assist the constituted authorities in bringing to deserved and exemplary punishment the offenders concerned in the violent outrages above mentioned.

And I solemnly and explicitly warn the working population, that any future acts of tumult or insubordination on their part must inevitably tend to deter the Legislature of this Colony from curtailing the period of apprenticeship, and earnestly exhort all good negroes to recollect with gratitude, that while in this state of gradual preparation for eventual independence, they continue to be provided by their employers with food, medical care and lodging; solid advantages, which, notwithstanding any former usage, they must be prepared, on becoming absolutely free, altogether to relinquish and forego.

Having thus dispelled the baneful illusion, unfortunately cherished by certain misguided negroes in St. Christopher's, and assuring those who persevere in orderly and peaceable demeanour of the constant protection of the Executive, I do now, in the name of our Sovereign Lord the King, enjoin upon all persons amenable to the law of apprenticeship to be submissive and obedient to the same, as they shall answer to the contrary at their peril; and I furthermore summon His Majesty's officers, civil and military, and liege subjects, effectually to contribute towards promptly suppressing every show of resistance to the royal authority, in order that the King's most gracious pleasure in the premises may be carried within this His Majesty's Colony on and after the 1st day of August next into full and perfect execution.

Given under my hand and seal, at St. Christopher's, this 20th day of July 1834, and in the fifth year of His Majesty's reign.

God Save the King!

By his Excellency's command,
Felix Bedingfeld, Acting Private Secretary.

Enclosure 8, in No. 200.

Mr. President and Gentlemen of the Council,
Mr. Speaker and Gentlemen of the Assembly,

Enclosure 8, in No. 200.

THE proclamation, which I have caused to be published to the inhabitants, explains in detail the object of my present visit to this Island.

In return for the signal marks of royal favour about to be extended to them on the approaching abolition of slavery, certain evil-disposed negroes have recently displayed the deepest ingratitude towards the King, in presuming to treat with disrespect and contumely the veteran officer intrusted by His Majesty with the immediate administration of this government; and further, to avow an intention of resisting the new system of laws destined to operate the most beneficial changes in their social condition.

Misconduct such as this is calculated to rouse the indignation of every loyal and honourable mind, and unless speedily and effectually disclaimed by the mass of the labouring classes,

classes, cannot fail irretrievably to injure them in the public estimation, and to involve them eventually in the most disastrous consequences. ST. CHRISTOPHER.

Mr. Speaker and Gentlemen of the Assembly,

Whatever auxiliary measures suitable to the occasion may fall within the peculiar province of your Honourable House for adoption in support of the Executive, I am persuaded will not be withheld, either during my stay, or from his Excellency the Lieut.-governor in my absence.

Mr. President and Gentlemen of the Council,

Mr. Speaker and Gentlemen of the Assembly,

The civil authorities and the commander of the King's naval and military forces, uniting their efforts in the service of the Crown, are resolved to maintain the internal tranquillity of these Colonies, to protect His Majesty's orderly and peaceable subjects, and to repress by the strong arm of power, if requisite, all opposition to the laws.

(signed) *E. J. Murray MacGregor*, Governor.

St. Christopher's, 21 July 1834.

Enclosure 9, in No. 200.

To his Excellency Sir *E. J. Murray MacGregor*, Bart., &c.

Sir,

We, the members of His Majesty's Council, beg leave to express to your Excellency our due appreciation of the promptitude with which your Excellency has repaired to this Island, for the purpose of dispelling the illusion which has lately existed in the minds of our labouring population. We feel assured that this measure, combined with the judicious explanation contained in your Excellency's proclamation, must have the effect of restoring to their accustomed obedience any portion of the inhabitants of this Colony who have hitherto been deceived as to the favourable results to themselves which the law for the abolition of slavery, by an intermediate state of apprenticeship, is so well calculated to produce. Enclosure 9, in No. 200.

We trust that the great mass of this class of our community will now so readily disclaim the misconduct to which your Excellency alludes, as to avert from themselves the just indignation and punishment in which any disobedience of the law must necessarily involve them.

We feel assured that under any circumstances the efforts of the civil authorities, supported as they will be by His Majesty's military and naval forces, must ensure the internal tranquillity and consequent happiness of all classes of the inhabitants of this ancient Colony.

(signed) *W. G. Crooke*, President.
Daniel Gatenard Davies.
W. Wharton Rawlins.
Thomas Swanston.
C. Gillis Payne.
Robert Claxton.
J. F. Caines.

Council Chamber, 21 July 1834.

Enclosure 10, in No. 200.

To his Excellency Sir *E. J. Murray MacGregor*, Bart., &c.

May it please your Excellency,

We, the members of the Commons House of Assembly of St. Christopher, lament exceedingly that your Excellency's visit to this part of your government has been rendered necessary by the disrespectful and contumelious conduct of evil-disposed negroes in this Colony to the veteran and respected officer entrusted by His Majesty with the immediate administration of this government, and by their avowed intention to resist the new system of laws, destined, if duly appreciated, to co-operate most beneficially upon their social condition. Enclosure 10, in No. 200.

We beg to thank your Excellency for your prompt exertions in behalf of this Colony, and gratified for the assurance that the civil authorities, and the commanders of the King's naval and military forces, uniting their efforts in the service of the Crown, resolve to maintain the internal tranquillity of these Colonies, to protect His Majesty's orderly and peaceable subjects, and to repress, by the strong arm of power, if necessary, all opposition to the laws. We beg to assure your Excellency of our hearty and individual determination to assist to the utmost of our power in supporting the laws of our country, and that your Excellency during your stay in this Island, and his Excellency the Lieut.-governor in your absence, shall be assisted by us in measures suitable to the occasion, which may fall within our peculiar province as the Commons Assembly of St. Christopher.

(signed) *George Henry Burt*, Speaker.

Assembly Room, 21 July 1834.

— No. 201. —

COPY of a DESPATCH from Sir *E. Murray MacGregor* to the Right Hon. *T. Spring Rice.*

Sir, St. Christopher's, 22 July 1834.

No. 201. IT was reported in my Despatch of the 3d instant, that the 1st of August had been directed to be set apart in Antigua as a day of solemn thanksgiving to God for the abolition of slavery.

Vide Antigua, page 20.

Mr. President Hamilton soon afterwards informed me that he meant to follow the like form in Montserrat; and at a hurried Privy Council, held after addressing the Legislature here yesterday, I was given to understand the House of Assembly had petitioned the Lieut.-governor against its adoption in St. Christopher's, on account of the late unruly conduct of the labourers.

I explained to the Privy Council, that however reluctant to contravene the wishes of the Assembly, it appeared to me exceedingly impolitic thus to confound the innocent with the guilty, or to assume that the whole working population fell under the latter denomination, and a very harsh proceeding not to permit the negroes to rest from labour on the day of their emancipation; that the Executive, if constrained to enforce compliance in such an instance, would be placed in a most painful predicament; and that I was the more particularly solicitous that every fair concession should be granted to the apprentices at the outset, in order to deprive them of all just grounds of complaint, should they think proper at last to place themselves in the wrong.

On this principle, of which I trust you will not see reason to disapprove, the Proclamation for a public thanksgiving, of which a copy is enclosed, has been published in this Island; and it is my present intention to cause the 1st of August to be observed in a similar manner in Nevis and the Virgin Islands.

I have, &c.
(signed) *E. Murray MacGregor.*

Enclosure in No. 201.

St. Christopher.

A PROCLAMATION,

By His Excellency Sir *Evan John Murray MacGregor,* Bart. Governor.

Enclosure in No. 201. WHEREAS the working classes within this Island from and after the 1st day of August next, in consequence of the abolition of slavery, will be placed in a new state, which will confer upon them greater benefits than they have hitherto enjoyed, and it is considered expedient and proper that an opportunity should be afforded them of offering up thanks to Almighty God for his past mercies, and humble intercession for a continuance of His gracious care and favour.

Now, therefore, by and with the advice of His Majesty's Privy Council, I do hereby ordain and enjoin that Friday, the 1st day of August next, shall be kept and observed as a day of solemn thanksgiving to the Almighty, and that all the churches and chapels within this Island be opened at the usual times of morning service, and I confidently expect that the demeanour of the labouring classes will be distinguished by the temperance, moderation and decorum that should on so important and memorable an occasion mark the rejoicings of a Christian people, whilst the fear of offending the Almighty Being, whose power we are taught at all times to acknowledge, will deter them from any excess displeasing to him, and dangerous to their own peace and safety.

Given under my hand and seal, at St. Christopher's, this 21st day of July 1834, and in the fifth year of His Majesty's reign.—God save the King!

— No. 202. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray MacGregor*, Bart.

Sir, Colonial Office, 18 Sept. 1834.

No. 202. I HAVE received your Despatch of the 22d July last, and I have to acquaint you that I entirely approve of your having ordered, on the 1st August last, a solemn

solemn thanksgiving to God for the abolition of slavery in St. Kitt's, and of the intention which you expressed of issuing orders for the observance of the like solemnity in Nevis and the Virgin Islands. ST. CHRISTOPHER.

I have, &c.
(signed) *T. Spring Rice.*

— No. 203. —

Copy of a DESPATCH from Sir *E. Murray MacGregor* to Mr. Secretary *Spring Rice.*

Sir, St. Christopher's, 5 August 1834.

No. 203.

I REGRET to be under the necessity of reporting that the resistance, on the part of the labouring population in this Island, to the laws is nearly general.

No. 1, 3 August 1834.

Mr. Solicitor-general Claxton's statement, of which a copy is enclosed, may serve to throw some light upon the situation in which the apprenticed labourers unfortunately have been induced to place themselves; and it will be observed from the accompanying Proclamations, that a reward has been offered for the detection of the persons who may have instigated them to the commission of this offence, while the painful alternative of resorting to martial law is seriously contemplated, unless the working classes shall speedily desist from their injurious opposition to legitimate authority.

Nos. 2 & 3, 4 August 1834.

It is of the utmost consequence that this rebellious spirit should be promptly subdued, which, according to advices this day received from the President of Montserrat, threatens, I regret to add, likewise to pervade that Colony; and it will afford me the highest satisfaction to be enabled to transmit by the succeeding opportunity more agreeable intelligence.

I have, &c.
(signed) *E. Murray MacGregor.*

Enclosure 1, in No. 203.

Sir, St. Christopher's, 3 August 1834.

Enclosure 1, in No. 203.

IN compliance with your Excellency's desire, I shall endeavour to afford you all the information in my power respecting the state of the labouring population in this Island, and the cause of their present excitement. Until about six weeks ago, the peaceable demeanour of the slaves, and the cheerful and willing manner in which they performed their work, justified the belief that they would readily embrace the advantages which the intermediate system of apprenticeship was calculated to afford them, and be thereby gradually prepared for the enjoyment of unrestricted freedom. As however the time for this great change drew near, some of the planters considered it necessary to explain to their people more particularly the several points connected with it, and it was then discovered that there was a general feeling against the system of apprenticeship, and a determination to strike work on the 1st of August unless wages were given them. The Wesleyan and other missionaries, who have for a long time exercised a great and salutary influence over the minds of the great mass of our population, thought it their duty to explain to them the law, and to enforce the necessity of obedience to it. They were however treated in many instances with incivility, and they were disregarded in all. The impression on the minds of the slaves appeared to be that the Imperial Parliament had made them free, and that the system of apprenticeship originated in the Colonial Legislatures. The circumstance of the Legislature of Antigua, over which your Excellency personally presides, having determined on unrestricted emancipation, may have contributed to strengthen this delusion, and they fully expected that on your arrival here, their rights would no longer be withheld from them. The circumstance of Lord Romney having emancipated his slaves, nearly 300 in number, may have contributed to unsettle their minds. They also expressed an aversion against being bound as apprentices in consequence of a fear that they would thereby subject themselves to the continued labour and frequent punishments which they daily observe as the consequence of young persons becoming bound as apprentices to various trades, and they would not believe that the hours of their weekly labour were to be confined to 45, and that they were no longer subject to any punishment from their employer. His Excellency the Lieut.-governor then undertook to dispel their illusions by personally explaining to them the nature of the contemplated change in their condition; but he was received invariably with distrust, and in most instances with disrespect. There is little doubt that emissaries have been sent from the leading gangs to the others, for the purpose of confirming them in

 their

ST. CHRISTOPHER.

their determination to strike work after the 1st of August, and that the well-disposed and irresolute have been threatened with violence to their persons and destruction to their property if they pursued a different conduct. And it is to be lamented that the occasions and manner in which their missions have been conducted have hitherto remained undetected. In several instances these threats have been carried into execution, and persons expressing their satisfaction at the advantages afforded them, and endeavouring to explain them to others, have been severely beaten. The head people upon many estates, who have hitherto been considered confidential and trustworthy, have betrayed a reluctance to converse with their masters on this subject; and others have admitted the fact of the general combination to strike work. They continued to discharge their duties with their accustomed regularity even to the last day of July, and in the evening and night of that day, upon 12 or 14 estates, they deposited their hoes and bills near the dwelling-houses of their respective managers, thereby expressing their determination not again to use them; and on a great many estates, on Saturday the 2d of August, they refused to throw meat for the cattle and other stock, and the stock-minders to attend to their duties. The general impression is that no violence to persons or property is in the first instance contemplated, and that they will be guilty of no other infraction of the law than the settled refusal to return to their work. It is however to be feared that the necessary efforts to enforce their duties as apprenticed labourers will lead to a contrary conduct. There are however some estates on which the people have promised obedience to the laws; and although they are comparatively few, yet their example, supported by the civil and military authority, may have a salutary effect.

To His Excellency
Sir E. J. Murray MacGregor, Bart.
&c. &c. &c.

I remain, &c.
(signed) *Robert Claxton.*

(Enclosure 2, in No. 203.)

Five Hundred Dollars Reward.

St. Christopher.

A PROCLAMATION,

By His Excellency Sir *Evan John Murray MacGregor*, Baronet, &c. &c. &c.

(L. S.)

Enclosure 2, in No. 203.

WHEREAS it has been represented to me, and I have the strongest reason to believe, that some persons have been wickedly employed in misleading the labouring classes of this Island, and inducing them to offer a combined resistance to the operation of the provisions of the Act passed for the Abolition of Slavery; and it is considered advisable to offer a reward for the discovery of such persons, with a view of bringing them to justice: Now, therefore, by and with the advice of His Majesty's Privy Council, I do hereby offer a reward of five hundred dollars, to be paid to any person who shall give such information as shall lead to the conviction of the person or persons who have originally and secretly instigated the labouring classes to resist and oppose the operation of the Act for the Abolition of Slavery, by misleading them as to its true intent and meaning, or otherwise: And I do hereby offer a further reward of fifty dollars, to be paid to any person who shall give such information as shall lead to the conviction of any person or persons who may be engaged in inducing the labouring classes to continue their opposition and resistance to the laws, whether by advice, intimidation or otherwise, provided that such information be given within one week from this date.

Given under my hand and seal, at St. Christopher, this 4th day of August, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.—God save the King!

(Enclosure 3, in No. 203.)

St. Christopher.

By His Excellency Sir *Evan John Murray MacGregor*, Baronet, &c.

(L. S.)

Enclosure 3, in No. 203.

WHEREAS it has been represented to me that the labouring classes upon very many of the estates in this Island are in a state of insubordination and resistance to the provisions of the Act of the Imperial Parliament for the Abolition of Slavery, and to the laws of this Island which have been passed for carrying the said Act into effect; and that it is the belief of the labouring classes that a mere absence from work, unaccompanied by any acts of violence, does not entail upon them any of the penalties of the law; whereas in fact, though no violence may be committed by any parties whose duty it is to render service to their employers in consideration of food, medical care, lodging and clothing, to refuse such service does subject all parties to the most severe penalties, and, in the event of martial law being proclaimed, possibly even to the punishment of death: And whereas it is considered expedient and advisable, for the purpose of reducing the said labouring classes to a proper state of obedience to the law, that martial law should be proclaimed: Now, therefore,

fore, by and with the advice of His Majesty's Privy Council, I do hereby proclaim and make known, that unless the working classes within this Island do, on or before Wednesday next, the 6th day of August instant, conform to the laws so passed for their governance, by working obediently for their employers, as it is their duty to do, that martial law will be proclaimed, and that it will continue in force until they shall be reduced to obedience; and all persons are hereby warned at their peril not to be found offending herein, as they will then have only themselves to blame for the serious consequences that will inevitably ensue. ST. CHRISTOPHER.

Given under my hand, at St. Christopher, this 4th day of August, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.—God save the King!

— No. 204. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Sir *E. J. M. MacGregor*, dated Downing-street, 6 Sept. 1834.

I LEARN with pleasure from Mr. Claxton's letter to you of the 3d August, that the Wesleyan and other missionaries had exerted themselves in St. Christopher's to explain the law to the negroes, and to enjoin obedience to it; and I cannot but entertain sanguine hopes that the continued efforts of the missionaries of all denominations will have been of effectual service in enabling you to arrest the struggle with which the Colony was threatened. No. 204.

The alternative which you suggest of martial law would be most painful, and would not be resorted to by you, I feel convinced, or even contemplated, without the most urgent and undeniable necessity. From the extent of resources now at your disposal, and the prudent firmness and resolution you have displayed, and which has met the unqualified approval of His Majesty's Government, I trust that tranquillity may have been restored at St. Christopher's before this Despatch reaches you.

— No. 205. —

COPY of a DESPATCH from Governor-General Sir *E. J. Murray MacGregor* to Mr. Secretary *Spring Rice*.

Sir, St. Christopher's, 19 August 1834.

THE printed Enclosure, No. 3, announces the hours of labour inculcated in St. Christopher's during martial law. I sincerely hope that these will be adopted, pursuant to my recommendation, by the Legislature; and Mr. Speaker Burt gives me reason to believe that this is likely to prove the case. No. 205.

I have, &c.

(signed) *E. J. Murray MacGregor.*

(Enclosure 1, in No. 205.)

His Excellency the Governor to His Honour the President and Council.

HAVING acted, during the prevalence of martial law, as will appear from the Enclosures, on the suggestion of Captain Stewart, special magistrate, with respect to the commencement and close of the legal hours of labour in this Colony, the Governor is compelled to propose to your Honourable Board the adoption of a similar regulation, which, by surrendering Saturdays entirely to the working classes, may possibly present the Legislature with a convenient opening for effecting the abolition of Sunday markets, Enclosur 1, in No. 205.

(signed) *E. J. Murray M'Gregor,*

St. Christopher's, 19 Aug. 1834. Governor.

A similar to the House of Assembly.

(Enclosure 2, in No. 205.)

Sir, Basseterre, St. Christopher's, Tuesday morning, 5 August 1834.

Enclosure 2, in No. 205.

I HAVE the honour to acquaint your Excellency, that in consequence of visiting "Taylor's estate," in this neighbourhood, by your desire, yesterday afternoon, the labourers have this morning gone to their work. Much dissatisfaction prevails from the circumstance that the commencement and close of the legal hours of labour are not fixed by law. The immediate attention of the Legislature to this point I humbly conceive to be most desirable; and by adopting, as nearly as possible, one uniform system throughout the Island, much good might be effected, should the same meet with the cordial support of the respective employers.

To His Excellency
Sir E. J. Murray MacGregor, Bart.
&c. &c. &c.

I have, &c.
(signed) *Robert Stuart*, Sp. J. P.

(Enclosure 3, in No. 205.)

St. Christopher.

A PROCLAMATION,

By His Excellency Sir *Evan John Murray MacGregor*, Bart. &c. &c.

(L. S.)

Enclosure 3, in No. 205.

WHEREAS it has been represented to me that the periods during which the apprenticed labourers in this Island are to render to their employers, 45 hours of labour in every week, are not defined by law: and whereas it is considered expedient that one uniform system upon this subject should be enforced throughout the Island during the period of martial law; Now, therefore, by virtue of the authority in me vested, I do proclaim and make known, that the said hours of labour shall be from six o'clock in the morning until eight; from nine until twelve; and from two until six o'clock, on the first five days in the week, whereby the apprenticed labourer will have finished his hours of work on the afternoon of Friday; and I do hereby enjoin obedience to this regulation on all persons having the charge of apprenticed labourers on the several estates in this Island, during the said period of martial law, as they will answer to the contrary at their peril.

Given under my hand and seal, at St. Christopher, this 7th day of August, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.—God save the King!

— No. 206. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. M. MacGregor*.

Sir, Downing-street, 16 Oct. 1834.

No. 206.

I HAVE received your Despatch of the 19th August, respecting the proposed regulation to fix particular hours for the labour of the apprentices at St. Kitt's. As it was not in your power to do more than to report the suggestion you had made to the Legislature, without informing me whether such suggestion had been adopted, I am not aware that this communication calls for any particular observation on my part, beyond the expression of my opinion, that except under extraordinary circumstances, such as those which have existed at St. Kitt's, the arrangements of the hours of labour had better be left to the mutual wants and conveniences of employers and labourers, in place of being made the matter of regulation and enactment.

I am not, however, inclined to doubt but that the local information which you have had the means of obtaining has warranted the conclusion to which you have come.

I have, &c.
(signed) *T. Spring Rice.*

— No. 207. —

Copy of a DESPATCH from Governor Sir *E. J. Murray MacGregor*, Bart., to Mr. Secretary *Spring Rice*.

Sir, St. Christopher's, 19 August 1834.

In my Despatch of the 5th August it was stated that the alternative of martial law was seriously contemplated, and from the enclosed documents it will be ascertained to have been resorted to, on the 6th inst., in compliance with the recommendation of His Majesty's Privy Council, (*see* Enclosures, Nos. 1, 2 and 3.) No. 207. 4 & 6 August 1834.

The proceedings which followed until the re-establishment of civil authority will be found detailed in the remainder of the accompanying papers, numbered from 4 to 18; No. 11 containing the Minutes of His Majesty's Privy Council of this day's date, wherein it is recorded that, 9 to 19 Aug. 1834.

"The members of the Board concurred in opinion that there was every reason to believe that the present state of tranquillity was likely to continue, Mr. President Crooke, alone dissenting."

It is likewise satisfactory to find that this sentiment is cherished by the Rev. D. G. Davis, Rector of St. George's; the Rev. D. Bigler, Moravian missionary, and also by the Rev. J. Cox, Wesleyan missionary, who has "just made a journey round the Island, that he may be enabled to speak more accurately on this subject." (Enclosures, Nos. 6, 7 and 8.)

My own impression respecting it is contained in the Minutes of Council, No. 11, but I have judged it advisable to leave in Basseterre the company of His Majesty's 36th regiment which proceeded with me from this garrison to that place, in the vicinity of which Captain Daniell will continue so long as it may appear to him requisite, and then repair to English Harbour, in Antigua, with His Majesty's brig Despatch, in order to refit; after which, that vessel will be disposable for eventual service in the Leeward Islands.

Previously to the termination of martial law, I directed a general movement of His Majesty's and the militia forces upon the mountains of the interior, in order to convince the negroes, said to be concealed there, that their haunts are at any time accessible by troops. Markus, the "King of the Woods," described in Enclosure No. 5, was seen, and would have been seized by a military party, had not their guide discovered himself prematurely to that fugitive.

To Major Brooke of the 67th regiment, on whom, as well as on several othe King's officers, militia brevet rank was conferred, I am highly indebted for his zealous services; and to one of my aides-de-camp of militia, Lieut.-colonel Woodcock, who acted as brigade-major, chiefly in the Cayon district, and the senior King's counsel here, it is my duty to entreat your favourable attention, should an opportunity offer of promoting in the latter capacity his professional views.

The Circular, No. 4, shows that early endeavours were exerted to bring the labourers to a returning sense of duty, and to dispense with punishment. During the active operations of the troops but one apprentice has been shot; and a letter from the Judge Advocate General is accompanied by a return, exhibiting results of general courts-martial held under my authority, Nos. 9 and 10, by which five persons were condemned to banishment for life, who embarked yesterday accordingly for Bermuda in His Majesty's schooner Pickle.

All circumstances considered, it will appear to you, I earnestly hope, that the insubordination in this Island, so fraught with peril at this crisis to the surrounding Colonies, has been checked with as little asperity as could have been well anticipated. Several of the apprenticed labourers personally assured me of their contrition; and between 80 and 90, whom my concluding proclamation released from the gaol of Basseterre, requested the Rev. Mr. Davies to convey to me the expression of their thanks and gratitude.

I am now about to re-embark for Antigua in His Majesty's ship Belvidera.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

ST. CHRISTOPHER.

Enclosure 1, in No. 207.

St. Christopher.

Enclosure 1, in No. 207.

AT a meeting of the Privy Council, held on Monday the 4th day of August 1834;

Present,

His Excellency Sir Evan J. M. MacGregor, Bart., Governor, &c. &c. &c.
His Excellency John Lyons Nixon, Esq., Lieut.-governor.
His Honour President Crooke.
The Honourable and Rev. D. G. Davis, A.M.
C. G. Payne, Esq.
Thomas Swanston, Esq.
Robert Claxton, Esq.

His Excellency the Governor wished to consult the Council as to the propriety of offering a reward for the discovery of the instigators to the present opposition to the law among the labouring classes.

After some deliberation, it was resolved to advise his Excellency to offer a reward of 500 dollars to any person who shall give such information as shall lead to the conviction of the person or persons who have originally and secretly instigated the labouring classes to oppose or resist the operation of the Act for the Abolition of Slavery, by misleading them as to its true intent and meaning, or otherwise.

And that a further reward be offered of 50 dollars, to be paid to any person who shall give such information as shall lead to the conviction of any person or persons who may be engaged in inducing the labouring classes to continue their opposition to the laws, whether by advice, intimidation or otherwise, provided that such information be given within one week from this date.

His Excellency asked the opinion of the Board, whether, if the present measures fail, it would be advisable to proclaim martial law.

Resolved, that it would be advisable; whereupon his Excellency directed a proclamation to be prepared.

(signed) *Thomas Harper*, Clerk of Council.

Enclosure 2, in No. 207.

St. Christopher.

Enclosure 2, in No. 207.

AT a meeting of the Privy Council, held on Wednesday the 6th day of August 1834;

Present,

His Excellency Sir E. J. M. M'Gregor, Bart., Governor, &c. &c. &c.
His Excellency J. L. Nixon, Esq., Lieut.-governor.
His Honour President Crooke.
The Honourable and Rev. D. G. Davis, A.M.
C. G. Payne, Esq.
R. Claxton, Esq.

It appearing that the labouring classes are still in a state of insubordination and open resistance to the Act passed by the Imperial Parliament for the Abolition of Slavery,

It was resolved, that his Excellency the Governor be advised to proclaim martial law; and his Excellency thereupon directed a proclamation to that effect to be prepared and issued accordingly.

(signed) *Thomas Harper*, Clerk of Council.

Enclosure 3, in No. 207.

St. Christopher.

A PROCLAMATION,

By his Excellency Sir *Evan J. Murray MacGregor*, Bart., &c. &c. &c.

Enclosure 3, in No. 207.

Whereas by a proclamation under my hand and seal, dated the 20th July last past, I did, in the name of our Sovereign Lord the King, enjoin upon all persons amenable to the law of apprenticeship to be submissive and obedient to the same, as they should answer to the contrary at their peril.

And whereas by a proclamation, dated the 4th day of August inst., I did proclaim and make known, that unless the labouring classes within this Island did, on or before Wednesday then next ensuing, conform to the laws passed for their governance, by working obediently for their employers, that martial law would be proclaimed.

And whereas it hath been represented to me that the said labouring classes, regardless of the proclamation above mentioned, and the warnings therein contained, are in a state of insubordination

bordination and open resistance to the provisions of the Act of the Imperial Parliament for the Abolition of Slavery, and the laws of this Island which have been passed for carrying the said Act into effect: Now, therefore, by and with the advice of His Majesty's Privy Council, in the name of our Sovereign Lord the King, and by virtue of the power and authority in me vested, I do proclaim martial law to be in force within the Island of St. Christopher forthwith, and to continue in force until due obedience to the law shall have been effected, and until further order be made herein; and that during the continuance of martial law, all persons in the said Island are subject to the same, of which they are to take notice and govern themselves accordingly. ST. CHRISTOPHER.

Given under my hand and seal at arms, at St. Christopher, this 6th day of August 1834, and in the fifth year of His Majesty's reign.

By his Excellency's command.

Enclosure 4, in No. 207.

Sir, Basseterre, 9 August 1834.

It has been suggested by his Excellency the Governor Sir Evan MacGregor, that if confidential persons were sent to the runaways still out, informing them, that should they be at work on Monday morning, no notice will be taken of their conduct during the present week, it would produce the effect of restoring order on the estates. Enclosure 4, in No. 207.

In this case, it would be desirable to have a return from every estate sent in to his Excellency on Monday of the persons absent from work that morning, and that in the meantime no further punishments be inflicted. This amnesty will of course not extend to persons who appear to have been ringleaders, or guilty of any marked violence of the law; and any who still remain out on that day will take the consequence of their continued disobedience.

I have, &c.

(signed) *M. G. Taylor*, Lieut. and Fort Adj.

Enclosure 5, in No. 207.

Sir, Cuninghams, 11 August 1834.

In compliance with the circular of the 9th instant, I beg to inform you, that all the people on this estate are at work, except James *alias* Buller, who was so desperate a character, that I felt it my duty to lodge him in gaol by the civil authorities, previous to the 1st of August, and a man named Markus, an African, a most daring and dangerous character, who has been absent three years, and has always been a runaway, goes by the title of King of the Woods, has been condemned for murder, has now a charge of felony, under Lord Ellenborough's Act, hanging over his head, and, as I am credibly informed, (only by hearsay evidence, but which I believe,) that he has a gang of 30 and upwards under his command in the mountains. His usual haunts are from Stones Fort to Vembell Mountains. He has a musket in his possession, and is very skilful in the use thereof. No order may be expected in the country unless he is taken. For further particulars of his character, apply to Major John Rawlins and Colonel Harper. Enclosure 5, in No. 207.

I have, &c.

To Lieut.-Col. Bedingfeld, &c. &c. &c. (signed) *A. P. Pogson.*

Enclosure 6, in No. 207.

Sir, St. George's, Basseterre, 13 Aug. 1834.

In compliance with your Excellency's desire, I now state the impressions made on my mind by my general observation, and by the intercourse which, as a clergyman, I have had at different times, and under various circumstances, with the labouring classes, as to the causes of the late unfortunate disturbances among them. Enclosure 6, in No. 207.

I think that there can be little reason to doubt, that on the first promulgation in the Island of the Act of Parliament for the Abolition of Slavery, that many of the then slaves felt keenly disappointed that it provided, in the first instance, a transition stage, called apprenticeship, and consequently did not at once convey to them the full rights of free men. It was also difficult in many cases to make them fully comprehend the entire consistency of a state denominated freedom with the legal necessity of labouring for the benefit of others, without contract or consent. This feeling of disappointment, as I fear, was increased in its bitterness by the imprudent manner in which the new system, designed to displace the old, was spoken of by some persons jealous of parting with personal power, as conferring no greater advantages, and even as more rigorous in its nature. The then slaves themselves also may be considered as having conceived an unfavourable opinion of the new condition in which they were to be placed by the law, by assimilating it in their minds

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minds to ordinary apprenticeships, the hardships of which they may have in some unfavourable cases witnessed. All these causes, however, of dissatisfaction may have been happily and easily overcome; and in very many instances I have reason to believe that in my humble efforts I had been successful to this end. But the course which the Legislature of Antigua pursued, in conferring immediate and unrestricted freedom on its slaves, had the effect of impressing those of this Island with the conviction that that was in reality the measure of the Government, and that your Excellency's presence as the Governor-general had been the reason why full justice had been done there, while the apprenticeship was the invention of the Legislature of this Island, designed, in effect, for the continuation of slavery and of its benefits to the planter, while the name of freedom was given for the satisfaction of the mother country. The voluntary relinquishment of the apprenticeship by Earl Romney, an extensive proprietor of this Island, resident in England, whose intention became generally known some few months before the 1st of August, served in no small degree to confirm this erroneous persuasion. This impression, once strongly made, it was difficult to shake; and then it was that the efforts of persons in the highest authority and most exalted situations, even of His Excellency the Lieutenant-governor and of the ministers of religion, were unavailing, and the manifestation of it on many occasions burst forth.

Though, however, I am fully persuaded that all these causes have severally concurred in producing the unhappy results which your Excellency has witnessed, yet I was not without the suspicion that some of the most discontented among the labourers had used their efforts to induce a combined, though not violent resistance to the intermediate stage to entire liberty, called by the law, apprenticeship, in the hope of thus attaining the great object of their ardent wishes, unrestricted freedom and a regular system of wages. The trials of two or three persons under martial law have served, as your Excellency knows, to confirm this suspicion: I trust, and have no reason at present to entertain any other sentiment, that the delusion has had no higher or more guilty origin.

I cannot conclude without adding, that while the philanthropist must look back with regret to that conduct of the labouring classes in this Island, which has prevented an entirely peaceable transition from slavery, and with sorrow on the measures which were deemed necessary to suppress disorder, he may retain the stable ground of rejoicing that there has occurred no instance of violence to the persons or destruction to the property of the masters. And I would say, that it is my persuasion that even that degree of instruction and religious knowledge which has been in different ways conveyed has had this powerfully restraining influence. I have every reason then to hope, that as misconception has been now corrected and delusion dissipated by the presence and active exertions of your Excellency, and the co-operation of His Majesty's land and naval forces, and by other means, a discreet and temperate conduct on the part of those having the management of estates will soon restore quiet among the labourers and harmony between them and their employers. We may thus derive the assurance that a repetition of the evil we have witnessed is not very probable.

To His Excellency
Sir Evan J. M. MacGregor, Bart.
&c. &c. &c.

I have, &c.
(signed) *Daniel Gateward Davis.*

Enclosure 7, in No. 207.

To His Excellency Sir *Evan John Murray MacGregor,* Bart., &c. &c. &c.

May it please your Excellency,

Enclosure 1, in No. 207.

THROUGH the Hon. and Rev. D. G. Davis I have been apprised that it is the desire of your Excellency to be made acquainted with the opinion of the missionaries of the United Brethren's Society in St. Kitt's as to the probable causes of the late rebellion or insurrectionary movements of the slave population.

I beg leave to say, that in the accompanying statement I am, from unavoidable circumstances, necessitated to give my single opinion, as I should not be able in time to furnish your Excellency with that of my colleagues stationed in St. Mary's, Cayon and St. John's, (near Deep Bay.)

Having within the last few days had a conversation with the Hon. and Rev. gentleman above named on the very subject on which I am now called to express my opinion, I was gratified in perceiving that we entirely concurred in ascribing to the same causes the late misconduct of the slaves. I have this day learnt from that gentleman that he has, agreeably to your Excellency's desire, furnished a statement of his opinion; so that I apprehend the present may prove but a recapitulation. I beg leave, however, briefly to say, that in my humble opinion the primary cause of the late disturbances was a disappointment of the expectations, universally entertained by the slaves, that when the Act of Abolition had passed it would confer absolute and unrestricted emancipation; for they were often heard to say, "Now we shall soon get our freedom."

As the final adjustment of the slave question seemed long at issue, their eagerness and impatience grew proportionally strong; so that on the arrival of almost every packet in our roadstead, they did not scruple to say, "That has brought our papers," meaning their emancipation. This, I believe, was the state of their minds up to the arrival of the late Royal Proclamation.

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His Excellency, our esteemed Lieutenant-governor, Colonel Nixon, in transmitting to us a copy of the Act for the Abolition of Slavery and copies of the Royal Proclamation, sent also circulars, containing written instructions, earnestly requesting us to explain it to that portion of our congregation then held in slavery. In obedience to that request, the Proclamation was read and explained in a public meeting of the congregation; and, lest there might remain a single doubt on the minds of any, they were invited to call on us at any time for further explanation. A few availed themselves of the opportunity; and, after explaining again the nature of their new relations, seemed satisfied. But as we took occasion to inquire from time to time, we found, to our great grief, that the prejudice against the terms "apprenticeship" and "bound," used in the Act, was so great, that our interference to rectify their mistaken notions was deemed uncalled-for; and they obstinately persisted in their belief that His Majesty the King had given them their liberty, but that their owners or superiors here wished to bind them again as apprentices.

The proceedings of the Legislature of Antigua having become generally known among them at this time, appeared to confirm them in this opinion, and has undoubtedly very largely contributed to their disaffection.

In addition to this, the case of Earl Romney might be mentioned, giving the boon, which all expected, to a considerable number of slaves on his estates, was not without its influence.

We cannot but deeply regret the late misconduct of the slaves; but, at the same time, we feel truly grateful to the God of all mercies that we have been spared both from experiencing violence to our persons and property, and from witnessing it in that of our fellow-creatures. We rejoice, too, that by the able and indefatigable exertions of your Excellency and those under your command that peace and order seem to be restored.

Though a decided opinion as to the future conduct of the slaves may at this time be deemed premature, yet if we may judge from the cheerful countenances and manners of the many I have seen flocking to the market on Saturday, and if we may rest satisfied as to the future discretion of those holding apprenticed labourers, I think we have no reason to apprehend a recurrence of such scenes of dissatisfaction and insubordination as we have witnessed since the 1st of August.

In conclusion, I beg leave to congratulate your Excellency on your convalescence, and to assure you of my sincere wishes for your Excellency's health and happiness.

I am, &c.

(signed) *David Bigler*,

17 August 1834. Missionary of the United Brethren in Basseterre, St. Kitt's.

Enclosure 8, in No. 207.

To His Excellency Sir *Evan J. M. MacGregor*, Bart., &c. &c. &c.

Sir, Wesleyan Mission House, St. Christopher, 18 Aug. 1834.

I HAVE received a communication from your Excellency, through your Excellency's secretary, desiring me to state my opinion as to the causes of the late unhappy commotions among the apprenticed labourers in this Island, and as to the probable consequences of the measures which have been adopted to suppress them. Enclosure 8, in No. 207.

With as much brevity as possible, I proceed to comply with your Excellency's request.

1. The principal cause of the whole was unquestionably a deeply-rooted and very general conviction that "the King" had given them unrestricted freedom, and that their masters had imposed the apprenticeship system. We combatted this sentiment; but, after all our careful and particular explanations of the matter on the estates on which we preach, and in our chapels, we could not in some cases succeed in eradicating this most delusive notion.

2. My second cause may also be considered as a cause of the first. The unrestricted emancipation of the people of Antigua most naturally assisted in generating the abovementioned error. They readily concluded that had justice been done to them, they also would have been equally free. This I regard as a most prolific source of misapprehension; and greatly do I regret that the judicious measure of that Island was not imitated here.

3. My third reason is the total liberation of Lord Romney's people, and its publicity a long time before it was officially announced to them. This I deem highly impolitic. Had it been immediately promulged, I think less suspicion would have been excited; and your Excellency is aware, that in a small community like this, suspicious fears are extremely contagious, and greatly distort the truth.

4. One or two gentlemen announced their intention to dispense with the apprenticeship system, and pay their people. In this and the preceding cause your Excellency will perceive a want of uniformity, so productive of confusion at such a period, and on such a subject. This led the negroes to suppose that some of the proprietors were complying with "the King's law," and others violating it.

5. I attach some importance to the non-arrival of the other two magistrates destined for this Island. The negroes have clearly understood that three were coming from England for the special purpose of superintending the execution of the provisions of the Imperial Act, and one only has arrived. In this time of fear and suspicion, such an apparently trivial matter has some influence; and I think it highly probable, that had the special magistrates,

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just from England, arrived in time to have gone through the Island, and explained the law and warned the unruly, this mischief might have been prevented.

6. That a few incendiaries from among the negroes themselves have been peregrinating the land, and too successful in striving to excite disaffection among them, in persuading them obstinately to disbelieve what the ministers of religion or any others should say on the subject of the apprenticeship, and in endeavouring to effect a combination of passive resistance to the law, I can no longer doubt. This conviction arises as well from other causes as from my observations on the trials of two or three principal offenders and ring-leaders in promoting seditious feelings. These trials I attended throughout, and carefully noted the nature and value of the evidence. How far the preceding and following causes may have been effectually employed by such unprincipled men in forwarding their machinations, and how suited they were for such a nefarious purpose, will be sufficiently obvious to your Excellency's penetration.

7. That the bitter taunts and woful predictions with respect to the alteration in our social state of some persons opposed to the emancipation of the negroes have produced great disquietude in their minds, is generally admitted. Thus the new system has been arrayed in such a hideous and forbidding aspect, that many of the people have almost feared it as worse than slavery. Instead of being represented as a blessing, it has been so caricatured as really to justify or excuse a suspicion in their minds that it could never have originated with the people of England. And the indifference of too many about furnishing a kind and conciliatory, as well as a just and correct *exposé* of the new plan, before the 1st August, and on the morning of the 4th August also, was, I think, another source of evil, and a reason too why our expositions of it were in some cases doubted. But I may not enlarge upon this topic. Your Excellency will, I hope, give me credit for real regret in being obliged to assign such a cause as this; but I could not in justice omit it. I do not pretend to determine on the motives to such injudicious conduct: of the vexatious results I am, alas! too certain.

8. That so many were involved in it arose, I apprehend, from fear of the disaffected, by whom they were overawed, and from thoughtlessness in the young, who imitated examples, and acted without motive or consideration.

9. Your Excellency, I hope, will not consider me as impeaching the wisdom of His Majesty's Government when I assign as another cause for our late troubles the title and anomalous constitution of the apprenticeship system. Erroneous notions were engendered by the very name, which, in their minds, associated their future untried state with relationships around them of a similar title, conducted with such despotic government, as, coupled with the unjust insinuations of others, filled them with dismay. And it was difficult to make them understand how they could be "discharged of and from all manner of slavery, and absolutely and for ever manumitted," and yet to be compelled to work the greater part of their time for the same masters without adequate wages. Freedom and compulsory labour, without payment, and for no crime, appeared to them incongruous. The Act, too, assured them that the King "had appropriated a large sum of money for their freedom;" and I have been often asked how to reconcile this fact with the truth, that they must still work for their former owners in the above-mentioned manner; and all my attempts to show that the apprenticeship was a part payment for absolute unconditional freedom were in some cases unsatisfactory. I am fully persuaded, therefore, that had the term "slavery" been retained, with the modifications of the present system, it would have been productive of far less confusion.

10. But after all which may be said, I cannot exonerate many of the offenders from the charge of a proud and wilful disobedience to the law, clearly understood, with a secret hope that it would not be enforced; while the total absence of any violent resistance, and of any attempt to fire, or destruction of property, showed they only wanted perfect personal liberty and wages, and preposterously hoped they may be obtained by passive disobedience and clamour.

These, Sir, are the reasons which have occurred to my mind in pondering the origin of our late excitement; and while I sincerely regret it, I at the same time greatly rejoice that so many remained firm at the post of duty, and used their efforts (and in many cases successfully too) to prevent the defection of others. I regard it as a signal triumph of moral and religious principle.

I do not by any means attach equal importance to all the preceding reasons. The 1st, 2d, 3d, 6th, 7th, 9th and 10th, appear to me primary causes; the others accessory.

I proceed to consider the second part of your Excellency's inquiry, "What will be the probable consequences of the measures which have been adopted to suppress these disturbances?" I have every reason to believe they have been, and will be, in general, salutary. But this greatly depends on a just, and mild, and judicious use of that authority which our labouring population have been compelled to believe their masters do still possess. I have just made a journey round the Island, that I may be enabled to speak more accurately on this subject; and it is with unspeakable pleasure I report to your Excellency, that so far as I have ascertained, deep regret and self-condemnation, and a desire to please, are the prevailing emotions among the misguided offenders, generally unmixed with sullenness or irritation. I have everywhere heard from all classes, with scarcely an exception, the most encouraging statements of the promptitude and alacrity with which the apprenticed labourers attend to their duties. Convinced beyond a doubt that the system is the law, and the "King's law" too, they seem resolved to submit, and expressions of deep contrition at their folly abound among the guilty, and of gratulation and thanksgiving among

among the innocent at their escape from trouble. And it is worthy of notice, that there are now more people at work on the several properties than have been known for many years. I cherish the hope, that by a careful and mutual attention to the provisions of the law, our tranquillity will be permanent. ST. CHRISTOPHER.

I cannot conclude without taking leave to express to your Excellency the abundant satisfaction which I, in common with very many in this community, have felt in your Excellency's presence and government at this important juncture, and in the wisdom and promptitude and success of the measures which your Excellency has adopted to effect the restoration of our tranquillity, and my gratitude to Almighty God for the accomplishment of that object without the effusion of blood, except in one solitary instance; and most sincerely do I pray, from a conviction of its importance, founded on an attentive observation of your Excellency's measures, that these Islands may long be favoured with the benefit of your Excellency's liberal and enlightened administration.

May the Lord of heaven and earth have your Excellency in his most holy keeping.

I have, &c.
(signed) *James Cox.*

Enclosure 9, in No. 207.

Sir, Basseterre, 19 Aug. 1834.

I HAVE the honour to enclose a return of the number of trials for offences committed during the existence of martial law in this Island, from the 6th to the 18th of this present month of August, and the sentence passed in each case. Enclosure 9, in No. 207.

In answer to your Excellency's inquiry, "To what cause I attribute the late conduct of the labouring classes?" I have to state, that the evidence which has been adduced before me leads me to think that the apprenticeship system was not, in the first instance, liked by the negroes; and I very much suspect that some designing persons, taking advantage of that feeling, instilled into their minds the false idea that a determined resistance to the laws would secure to them a state of entire freedom and exemption from all work; and I think that the instigators must have been most active and watchful in their endeavours, as, notwithstanding the various threats of burning and poisoning which were, long antecedently to the 1st of August, held out by the negroes, yet when your Excellency arrived here, and timely assisted us with a strong force, their threats ceased, and passive resistance was resorted to, in opposition to the repeated warnings and proclamations of your Excellency.

It is to be hoped that the late examples, which have been so necessarily made, and the prompt assistance afforded by your Excellency, will have the desired effect; but so uncertain is the negro character, that I cannot form any opinion whether they will or will not venture on a repetition of their late resistance.

I have, &c.
(signed) *J. G. Piguenet,*
Judge Advocate General.

His Excellency Sir E. J. M. MacGregor, Bart.
&c. &c. &c.

Enclosure 10, in No. 207.

RETURN of CONVICTIONS under COURTS-MARTIAL for Offences, from 6 to 18 August 1834.

NAME.	OFFENCE.	SENTENCE.	—
Bronte	Sedition	Banishment for life	Carried into effect.
Roger Profit	For exciting others to rebel	150 lashes and solitary confinement for 30 days.	Confinement, but 50 lashes remitted.
Wm. Challenger	Disobedience and sedition	Banishment for life	Disallowed.
Henry Thomas	Stealing from a soldier	24 lashes	Carried into effect.
John Dickenson	Mutiny and sedition	Banishment for life	Carried into effect.
Richmond	Refusing to work and desertion	150 lashes with a cat	Carried into effect.
Robin	Mutiny and sedition	200 lashes with a cat	Confirmed, but 100 lashes remitted.
Cork	Mutiny and sedition, exciting and supporting others in rebellion.	Banishment for life	Carried into effect.
Belinda	Mutiny and sedition	Banishment for life	Disallowed.
Abraham	Exciting sedition	Banishment for life	Disallowed.
Henry	Mutiny and sedition	Banishment for life	Carried into effect.
William	Mutiny and desertion	Not guilty	Confirmed.
Jeaque	Mutiny and sedition, and exciting same; and supporting rebels.	Banishment for life	Confirmed, and carried into effect.
Ned Hope		Not guilty	
Cæsar	Mutiny and sedition	100 lashes, 3 months' confinement, and 100 lashes at the end of the 3 months.	Confirmed, but the lashes remitted.
John Peter	Neglecting his duty as watch	25 lashes with a cat	Carried into effect.

 (signed) *J. G. Piguenet,* J. A. G.

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Enclosure 11, in No. 207.

St. Christopher.

Enclosure 11, in No. 207.

AT a Meeting of the Privy Council, held in Basseterre, on Tuesday the 19th day of August 1834;

Present,

His Excellency Sir E. J. M. MacGregor, Bart., Governor, &c. &c. &c.
His Excellency J. L. Nixon, Esq., Lieut.-governor, &c. &c. &c.
His Honour President Crooke.
The Hon. and Rev. D. G. Davies, A. M.
W. W. Rawlins, Esq.
Thos. Swanston, Esq. M. D.
C. G. Payne, Esq.
R. Claxton, Esq.
J. T. Caines, Esq. M. D.

18 August 1834. WITH reference to the proceedings of the Board of the 4th and 6th instant, recommending recourse to martial law, the Governor communicates to the Board his Proclamation for the discontinuance of martial law, and in taking leave of the Privy Council, trusts it will not again become his duty to repair to St. Christopher's on account of any internal disturbance, but should such an unlooked-for event recur as the necessity of proclaiming martial law, he will endeavour to regain his post without delay.

The Governor has not discharged the alarm existing at his arrival, considering it inadvisable that the militia should be immediately relieved from duty, and more prudent that the strength at each post should be gradually diminished according to circumstances, so as to be at last almost imperceptibly dissipated.

On the same principle, that the appearance of naval force may be kept up, his Excellency the Vice-admiral commanding having had the kindness to attach a ship of war to the seat of the Leeward Island Government, Captain Strong, at the Governor's request, will direct His Majesty's brig Despatch, Captain Daniell, to remain off Basseterre for the present.

From what had fallen under his personal observation, and adverting to accounts from Trinidad, the Governor deems it proper to record his strong impression that the influence of the public authorities should be considerately exerted in conciliating the negro population, and in endeavouring to divest the lower order of Europeans employed in their management of prejudices contracted under the previous condition of the labouring classes, as well as of the feelings of resentment recently created by the dissension that has prevailed since the abolition of slavery in the commencement of the present month.

It may also be proper to mention at this Board, what cannot so conveniently form matter of communication to the Houses of the Legislature, that application for courts-martial from various quarters have been exceedingly numerous, but that, however natural the desire of bringing their refractory dependents to trial might be on the part of the proprietors, the Executive was bound to be guided by considerations of a higher nature.

It has been urged by some persons that sentences inflicted by order of the courts-martial were in some parts of the country perhaps too harsh. It is certainly possible that this may have been the case; but it is a difficulty against which, under similar circumstances, there are at the outset no means of protection. From a state of profound peace the militia were suddenly thrown into active service, and many persons, who in all likelihood never opened a law book, found themselves members of courts-martial. They were engaged against rebels, who are liable to be acted on by the punishments awarded by such courts, and they were ignorant of the force, designs and arrangements of their opponents, and unable to anticipate what the morrow might produce. Thus situated, although it is to be regretted if a few individuals have been chastised with undue severity, still it is to be recollected that the prompt application of flogging may have saved the very persons so flogged from being shot.

Had martial law endured for a longer term, the irregularities adverted to would have been prevented by suitable arrangements, and as it was, they were checked as soon as they were suspected.

These observations relate to the out-stations; but in reverting to the first part of this statement, it is to be remarked that martial law must have been kept up for a month in order to meet the wishes of the candidates for prosecution; that, in the Governor's opinion, an increase in the quantity of punishments would have tended to diminish their effect; that of secondary sentences, enough seems to him to have been passed; and that by pardoning numbers, he hopes to have secured the gratitude of some, while the transportation of certain notorious offenders answers the double purpose of serious example, and of ridding the country in its present state of dangerous inmates.

At all hazards, it appeared imperative on the Executive to use every effort for the expulsion of the mass of the population from the woods. Their continuance therein for any length of time must have served to place them more immediately than ever under the influence of the mischievous ringleaders by whom they have been deceived; excesses must have followed, which would necessarily have produced collision with the troops, and consequently the probable extensive destruction of life and property. Nor were the interests of St. Christopher's alone at stake; those of the other Colonies under the system of apprenticeship were exposed to the influence of her example. Every inducement therefore conspired to prompt the Governor in crushing the threatened evil in the bud; nor has he shunned any responsibility

responsibility promising to prove conducive to that end. According to the best of his information and belief, order will be preserved in this Island, unless the discontented negroes in Trinidad should unfortunately have it in their power to oppose powerful and lengthened resistance to the new order of things, which may keep up an unsettled spirit amongst the apprenticed labourers in other places. ST. CHRISTOPHER.

His Excellency the Governor asked the opinion of the Board as to the probable continuance of tranquillity. The members of the Board concurred in opinion that there was every reason to believe that the present state of tranquillity was likely to continue, Mr. President Crooke alone dissenting.

Enclosure 12, in No. 207.

St. Christopher's.

A PROCLAMATION,

By his Excellency Sir *E. J. M. Macgregor*, Baronet, &c. &c. &c.

Enclosure 12, in No. 207.

WHEREAS the labouring class of the population of this Island having betrayed an insensibility to the advantages, and an inclination to elude the duties assigned to them under the Statute of the Imperial Parliament for the Abolition of Slavery, by the substitution of an intermediate system of apprenticeship, every effort was made by the public authorities to disabuse their minds of those impressions, which had been instilled into them by wicked and designing persons: And whereas, on the 4th day of August instant, the labourers attached to the various estates, with few exceptions, having refused to perform their tasks, and having withdrawn themselves from the service of their employers, it was, by my Proclamation of that date, made known that unless they did on or before Wednesday next ensuing, conform to the laws passed for their governance, pursuant to the provisions of the aforesaid Statute of the Imperial Parliament, the law martial must be resorted to: And whereas, notwithstanding such public warning, their continued contumacious conduct did at length cause martial law to be proclaimed, in consequence whereof many of them have incurred severe but necessary punishments, and some even that of banishment for the remainder of their lives: And whereas the said offenders having been reduced to obey the laws, now proceed, as in duty bound, to labour as apprentices; I do therefore, by virtue of the authority in me vested, proclaim and announce that from and after this 18th day of August instant, martial law within this Island shall cease and be at an end: And whereas it is hereby enjoined on all transgressing apprenticed labourers, as the readiest and most effectual mode of manifesting contrition for their late misconduct, and of endeavouring to regain that confidence which they must be conscious of having deservedly forfeited, to yield in future a willing and becoming submission to their employers during the working hours prescribed by law; it is likewise earnestly recommended to the said employers and directors of estates to draw the veil of oblivion, as far as may be practicable, over the misguided proceedings of their dependents: And whereas, although recent experience must have convinced the labouring classes that His Majesty's officers will never hesitate to enforce the Royal authority upon the refractory and disobedient, however numerous, yet at the same time, our most Gracious Sovereign being always benignantly disposed to exercise clemency and mercy, I do, therefore, in the King's name, hereby further grant and proclaim a general amnesty to all persons offending in the premises, not actually under sentence; and I fully expect that the apprentices will show themselves worthy of this lenity by hereafter rendering due obedience to his Excellency the Lieut.-governor and the constituted authorities of the Colony, and that proprietors and the higher orders of society, by a strict and careful adherence to the several legislative enactments destined for the general benefit, will afford the laudable example of that exact observance of the laws which it is imperative on all His Majesty's subjects, as well as their true interests, implicitly to follow, as the sole means, under existing circumstances, of obviating a recurrence to the alternative of military rule.

Given under my hand and seal, at St. Christopher's, this 18th day of August, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

By his Excellency's command.

Enclosure 13, in No. 207.

General Orders.

Basseterre, St. Christopher's, 18 August 1834.

By His Excellency the Governor.

Enclosure 13, in No. 207.

THE circumstances requiring the presence in the field of His Majesty's forces having happily ceased, the Governor with pleasure publicly recognises the excellent discipline, good conduct, energy, and proper moderation they have invariably evinced throughout the course of the late service.

To Major Brooke, commanding, the Governor's approbation and best acknowledgments are expressed, with the request that they may be likewise intimated to Captain Elton and

ST. CHRISTOPHER. Lieutenant Reeves, in command of detachments of His Majesty's 67th and 36th regiments, as well as to the other officers and to the troops employed.

The Governor's thanks are tendered at the same time to Lieutenant Taylor, the fort adjutant, with whose able and diligent discharge of his duties his Excellency has every reason to be pleased.

By order of His Excellency the Governor,

(signed) *M. G. Taylor*, Lieut. and Fort Adjutant

Enclosure 14, in No. 207.

Militia General Orders.

Basseterre, St. Christopher's, 18 August 1834.

Enclosure 14, in No. 207.

MARTIAL law being fortunately about to terminate, the Governor, in taking leave of the St. Christopher's militia, is persuaded that a more acceptable compliment cannot be paid to that force than the publication in general orders of the following report respecting them, addressed on the 16th instant to his Excellency by Brigadier-general Brooke.

(Extract.)

I have now the honour of performing a most pleasing and imperative duty towards the officers, non-commissioned officers and privates whom I had the good fortune to command in the carrying into effect the arrangements and plans submitted by your Excellency for the restoration of peace and good order in the Colony. However incompetent I am to do justice to their services and my feelings on the occasion, I will rest satisfied that my endeavours and wish to do so will be justly appreciated by all. In conveying to your Excellency the lasting impressions made upon my mind of the obligations I am under to the troops of the line, the artillery, militia and cavalry, for their co-operation, the zeal, spirit, and determination evinced by them in carrying into immediate effect my commands for the different movements, it would be invidious in me to select from the several corps any individual for your Excellency's particular notice and consideration; for to the officers, non-commissioned officers and privates of the 67th regiment, under the command of Major Elton; to the officers, non-commissioned officers and privates of the 36th regiment, under the command of Captain Reeve; to the officers, non-commissioned officers and privates of the two companies of colonial artillery, under the commands of Captains Hardsman and Richards (particularly to the former officer); to the officers, non-commissioned officers and privates of the Windward and Leeward battalions of militia, under the commands of Lieut.-colonels Harper and Rawlins; to the officers, non-commissioned officers and privates of the two troops of cavalry, under the commands of Captains Wattlez and Fahie, and to the officers of the staff, my warmest thanks and acknowledgments are due.

By a few of my personal staff my particular and marked acknowledgments are demanded for the valuable and ready assistance in their different situations, to which I beg to call your Excellency's attention. To my brigade-major, the Hon. Mr. Speaker Burt, who acted in his situation on the leeward side of the Island, I feel myself deeply indebted for the success of my operations at the commencement of my command. The talent and ability evinced by the honourable gentleman in military tactics would be creditable to any of the profession. His valuable assistance was not alone confined to his military knowledge; for without taking into consideration the loss that might accrue to himself by the adoption of the plans laid down for bringing the apprenticed labourers of his estate to a sense of their duty and usual occupations, he at once entered into them, and considering with me the necessity of destroying the negro huts of those that were absent, a plan which had previously been adopted with success on another property, he cordially co-operated in the execution of it on his own, which having the desired effect of showing the gangs of the several estates the consequence resulting to them by their absence, they at once returned to their duty in obedience to the laws; and the honourable gentleman now declares that he enjoys the advantages and benefits arising out of his prompt and decisive co-operation with me in effecting your Excellency's wishes. To Lieut.-colonel Woodcock, A. D. C. to your Excellency, who acted as brigade-major on the windward side of the Island, I am also deeply indebted for the valuable information and assistance he afforded me. By his talent and knowledge in military correspondence, I was saved much time and trouble. I cannot speak too highly of his activity and manner of carrying into effect my commands and arrangements for the different movements; and his having, in the capacity of captain of the grenadier company of the Windward battalion, subdued the spirit of insubordination in the whole of the Cayon district, greatly accelerated the completion of your Excellency's commands. To Major Rawlins of the Leeward battalion of militia, I am much indebted; and it is a gratification to my feelings, and justice to that officer, to express to your Excellency the high sense I entertain of his persevering and active exertions throughout the period of insurrection, whose knowledge of the country and the individuals of the different estates tended much to the beneficial results of the measures adopted.

To my A. D. C., Captain Burt, of the cavalry, and my secretary, Mr. James Caines, I feel much indebted, and to whom I wish to call your Excellency's particular attention for their uniform zeal, activity and assistance.

In conclusion, I take leave to notice the kind, hospitable and liberal conduct evinced by the inhabitants of the Island to myself, my staff, and the troops under my command during our

our progress through the Island in the discharge of a duty which your Excellency was pleased to entrust to my execution. ST. CHRISTOPHER.

Acting on the above Report, as well as on what partially fell under his own immediate observation, the Governor solicits the acceptance, by the officers particularized by the Brigadier-general, especially by the Hon. G. H. Burt and Lieut.-colonel Woodcock, in the capacity of majors of brigade, as well as by the officers and troops at large, of his Excellency's acknowledgments and commendation.

The Governor derives infinite satisfaction from the opportunity of thanking the Brigadier-general himself, and of recording the high sense entertained by his Excellency of the professional ability and animated zeal displayed by that officer in carrying into effect the military arrangements essential to the restoration of the public peace.

To Judge-advocate General Piguenet, for the impartial, able and attentive discharge of the functions of his important office, to the staff officers in personal attendance on the Governor, Lieut.-colonels Wigley and Berkeley, aides-de-camp, and to the Fort-adjutant, Lieutenant Taylor, his Excellency's obligations are likewise acknowledged; and in the Governor's opinion the St. Christopher's militia in general have faithfully performed their duty.

By command of His Excellency the Governor,

(signed) *M. G. Taylor*, Lieut. and Fort Adjutant.

Enclosure 15, in No. 207.

His Excellency the Governor to His Honour the President and Council.

ON the 4th inst. it was formally intimated, by proclamation, that unless the apprenticed labourers forthwith conformed to the ordinances passed for their government, martial law would be employed, which, most of them disregarding every salutary warning, was therefore on the 6th instant proclaimed to be in force, until public order should be re-established. This desirable object having been subsequently attained, and the original pledge of the civil authorities and commanders of His Majesty's naval and land forces, that all opposition to the laws should be repressed, being thereby effectually redeemed, the governor is happy in now congratulating your Honourable Board on the cessation of military rule. Enclosure 15, in No. 207. 18 August 1831.

However much the late delusion of the working orders is to be deplored, it is consolatory to reflect that their resistance has been so generally passive, as to have led but in one instance to the loss of life; and as in many cases individually, and on certain estates collectively, the regulations of the new system have been diligently observed, the Governor, on whom the task of bringing the guilty to punishment has unavoidably devolved, trusts that this consideration may serve the more readily to justify him in venturing to recommend that the apprentices, who have proved pre-eminently loyal, should receive some legislatorial distinction, calculated at once to reward those persons, and to encourage others in emulating their praiseworthy fidelity. *Vide* Proclamation, Enclosure, No 12.

Your Honourable Board doubtless appreciates justly the valuable countenance and aid, most opportunely afforded to the Colony, by Captain Strong of the Royal Navy, for whose assiduous and unremitting co-operation at this critical season of the year, with the squadron under his command, the obligations of the Executive cannot be too conspicuously expressed.

The exertions of Brigadier-general Brooke have been indefatigable and judiciously applied; and it is gratifying to advert, not only to the spirited and efficient services rendered by His Majesty's officers and troops of the line, and of the Royal Marines, but likewise to the energy and zeal exhibited by the militia of all ranks and arms, suddenly and unexpectedly called upon to encounter unwonted duties, privations and fatigue.

The efforts alluded to, although of short duration, have served to show what may be done, and in particular that the mountains of the interior are accessible. But in bidding adieu, for the present, to your Honourable Board, the Governor far from contemplating a renewal of recent scenes, is anxiously disposed to entertain a more cheering prospect, and to hope that under the guidance of his Excellency the Lieut.-governor, of the Council and Assembly, and of the ministers of the Gospel, the prosperity of this Island will be preserved from further interruption; and its labourers, wisely profiting by past experience, induced so to comport themselves, as at no distant period, to become a reputable, industrious and contented peasantry. 16 August 1834.

(signed) *E. J. Murray MacGregor*, Governor.

St. Christopher's, 19 Aug. 1834.

A similar address to the House of Assembly.

Enclosure 16, in No. 207.

EXTRACT of REPORT to his Excellency the Governor from Brigadier-general *Brooke*, dated 16 August 1834.

I HAVE the honour to report, for your Excellency's information, that the movements of yesterday have been attended with the most beneficial results. Enclosure 16, in No. 207.

The troops having assembled at their different positions along the foot of the mountains

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on both sides of the Island, extended to their right and left, forming a chain of files at open order, and in this manner proceeded to ascend and dislodge the runaway apprentices secreted therein; and although many difficulties were opposed to them in their ascent, they so effectually succeeded in surmounting every obstacle, that they took prisoners, and drove from the woods negroes who had never before been seen by their present proprietors, and others who had been absent from estates three, four, five, and six years.

To show to your Excellency the impossibility of the apprenticed labourers at any time holding out in opposition to the laws and regulations of the Colony, by their considering themselves secure in a retirement to the mountains, I beg leave here to mention to your Excellency one fact, which reflects much to the credit of the officer and the men engaged in the undertaking.

Having in my power a most determined and notorious runaway, I was anxious to make use of his knowledge of the fastnesses of the mountains, and the haunts of others his companions.

I therefore directed an officer, of whom I entertained a high opinion for his intelligence, zeal, and determination, to take him as a guide into the mountains, for the purpose of his pointing out where his companions were concealed.

Lieut. Griffin, of the grenadier company of the Windward battalion, with a subdivision of his company, were selected for this duty.

They proceeded into the mountains at 5 P. M., and traversing them for some hours, the guide evidently playing them false, and making several attempts to escape, Lieut. Griffin ordered his arms to be tied behind his back, which however proved to be unavailing, his succeeding at length, from the darkness of the night, in escaping from the party.

Lieut. Griffin being resolved to repossess himself of his prisoner and guide, took every measure in his power that the almost insurmountable ravines and obstacles presenting themselves to him in the mountain would admit, and followed up his pursuit with such determination and spirit, that he actually drove the culprit, who had escaped from him, to surrender himself again into his power.

This one circumstance, as I before mentioned to your Excellency, shows the impossibility of escape, or that a retirement to the mountains at any time by the misguided apprentices for the purpose of opposing the laws can be attended with any success or advantages to them when pursued by military.

Your Excellency's plans and directions for the putting down a most determined and combined spirit of insubordination and opposition to the laws of the country on the part of the apprenticed labourers of the Colony, and for restoring peace, prosperity and good feeling to an Island never before known to suffer by the want of such blessings, have been attended with such success and benefits to the Colony, heretofore unknown, and far beyond the most sanguine hopes and expectations of the oldest proprietors and inhabitants of the Colony, and who have throughout my progress been pleased to express to me those sentiments and their unbounded gratitude for the prompt and decisive measures adopted by your Excellency in retrieving not only the unsullied character of a Colony proverbial for its happiness, but for restoring to them the good will, services and affections of their apprenticed labourers, who were led away from their duty by wicked and designing persons.

Confidence has been restored to all classes by your Excellency's proceedings. The stability of good order and obedience to the laws is insured. The apprenticed labourers have seen and declared their error; and it has been shown, but too plainly to some, that at any moment the strong arm of military power, when other measures fail, can and will bring them to a proper sense of their duty.

The contrition and sorrow evinced by the different gangs of apprenticed labourers for their past misconduct upon my last visiting them, and the sincere promises made to me by them for their future good behaviour and attention to their several duties and occupations, induce me now, in their behalf, most humbly to beg your Excellency's gracious pardon for their late acts, and that those who may be in confinement at present on the several estates be permitted to return to their occupations when they express their determination to continue subservient to the law and obedient to their masters for the time to come.

Here I should beg leave to suggest to your Excellency, that on and after your gracious pardon be granted, all proprietors, managers and overseers be cautioned against using any harsh measures towards the apprenticed labourers on their estates (or those they may have charge of) who have been in any manner implicated in the late rebellion; that the proceedings of those misguided individuals be entirely forgotten; and in any case of misconduct hereafter reference be not made to those recent acts, which they have now so sincerely repented.

Enclosure 17, in No. 207.

St. Christopher's.

To His Excellency Sir *E. J. M. MacGregor*, Bart., &c. &c. &c.

Sir,

Enclosure 17, in No. 207.

We, the members of His Majesty's Council, cannot allow your Excellency to leave the Island without again expressing our sincere thanks for the promptitude with which you repaired to this part of your government, under the apprehension of disturbances among the labouring

labouring classes, and for the active and judicious measures which you have so successfully adopted to suppress them since their lamented occurrence. ST. CHRISTOPHER.

(signed) *Wm. G. Crooke*, President.
G. D. Davis.
W. Wharton Rawlins.
Thomas Swanston.
C. Gillis Payne.
Robert Claxton.
H. Caines.

Council Chamber, 19 August 1834.

Enclosure 18, in No. 207.

Sir, Assembly Room, St. Christopher, 19 August 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's two communications of this date, addressed to the Speaker and House of Assembly, together with their several enclosures; and I am instructed by the House to express to your Excellency the high sense they entertain of the prompt and judicious measures pursued by you, whereby the late rebellion of apprenticed labourers has been so happily quelled, and those deluded persons induced to resume their labours. Enclosure 18, in No. 207.

I have, &c.

To his Excellency (signed) *G. H. Burt*, Speaker.
Sir E. J. M. MacGregor, Bart., &c. &c. &c.

— No. 208. —

EXTRACT of a DESPATCH from Governor Sir *E. J. Murray MacGregor* to Mr. Secretary *Spring Rice.*

Government House, Antigua, 30 August 1834.

BY His Majesty's brig "Despatch," the report, of which an extract is enclosed, reached me from the Deputy Provost Marshal of St. Christopher's, that officer, whose duties furnish him with opportunities of acquiring accurate information, having been called upon for an account of the late proceedings of the apprenticed labourers in that Island; and it will be observed that he does "not anticipate the slightest recurrence of their refusal to work." No. 208.

Captain Daniell of the "Despatch" arrived yesterday at English Harbour, having left St. Christopher's on the 26th inst., and having visited Nevis and Montserrat on his way hither. The apprentices at each of those Islands were quite peaceable, and the Captain states that he believes "no apprehension existed on the part of the authorities of their acting otherwise."

Enclosure in No. 208.

EXTRACT of a REPORT from *Charles Berkeley*, Esq., Deputy Provost Marshal of St. Christopher, to his Excellency Sir *E. J. Murray MacGregor*, Bart. Governor, &c. &c. &c., dated 19 August 1834.

A NATURAL desire of unrestricted liberty no doubt had its effect in inducing many of the negroes to remain absent from labour, even after they were convinced of the legality of the apprenticeship system. This is to be deplored; but your Excellency will allow that an astonishing degree of moral improvement was displayed by them, when your Excellency bears in mind that not one single act of violence was committed by them. Enclosure in No. 208.

The example which has been made by the transportation of five to Bermuda, the severe chastisement which so many have received, the destruction of their huts and little property, and the astonishing activity of the regular troops, as well as the militia, particularly in the general movement into the mountains, have so terrified and amazed the apprenticed, and they are at the same time so thoroughly convinced that the apprentice system originated in the mother country, and is sanctioned by the Crown, that I do not anticipate the slightest recurrence of their refusal to work, and I am quite certain that every part of this Island is at this moment in the utmost peace and tranquillity.

Permit me, in conclusion, to congratulate your Excellency on the speedy and happy termination of an excitement which but for your Excellency's arrival in this Colony, and the prompt and judicious measures adopted by your Excellency, might have led to much destruction of life and property.

— No. 209. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. M. MacGregor*.

Sir, Downing-street, 16th October 1834.

No. 209. I HAVE the honour to acknowledge your Despatches of the 19th and 30th August, and their several enclosures.

You will, I am sure, not misconstrue my motives, or for one moment consider that I undervalue the zeal and ability which you have evinced in the acts of your Government, when I wish to have before me some more full and detailed accounts of the events which appeared to you and to the Privy Council of St. Kitt's to render it necessary to proclaim martial law in that Island. You are aware that, with this single exception, all partial disturbances or acts of insubordination which have occurred in His Majesty's West-India Colonies have been met and suppressed by the civil power; and though I doubt not that the grounds on which you asked the opinion of the Board on the 4th August with respect to the necessity of proclaiming martial law will, when more fully stated, appear conclusive, it is of the highest importance that this question should be fully explained.

What I should be glad to learn from you therefore is, what acts of open violence, affecting or threatening loss of property, had occurred before the 4th of August, and whether all the efforts of the civil power had been made, and found to be ineffectual, before the proclamation of the 5th was issued.

I do not conceive that recourse can be safely had to extreme remedies except in extreme cases, and I should very much deprecate the existence of any belief in the minds of His Majesty's subjects in the West Indies that martial law would be resorted to in any ordinary case of insubordination or refusal to work. For these offences, serious as they must always be considered, the civil law provides appropriate remedies, which have been employed in the other Colonies, and have been employed effectually.

I have, &c.

(signed) *T. Spring Rice.*

— No. 210. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. M. MacGregor*.

Sir, Downing-street, 5 September 1834.

No. 210. I HAVE received from Sir Lionel Smith a copy of your Despatch to him of the 12th July, respecting the insubordination manifested by the negroes at St. Christopher's, and a communication has since reached me from Captain Strong to the Secretary of the Admiralty, with accounts of your arrival in that Colony, and a copy of the Proclamation which you had issued. I take the earliest opportunity of expressing my satisfaction at the promptitude and judgment with which you have acted upon this occasion, and although I trust that before you receive this Despatch all present apprehensions from the state of the population at St. Kitt's will have ceased, yet I will not omit to say, that should it be otherwise, I shall rely greatly upon your personal superintendence of the measures taken in that Island, provided the circumstances of the other Islands in your Government shall admit of your being present there.

I have, &c.

(signed) *T. Spring Rice.*

— No. 211. —

COPY of a DESPATCH from Sir *E. J. Murray MacGregor*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Government House, Antigua, 15 Sept. 1834.

I DO myself the honour of forwarding transcripts of Acts for the Island of St. Christopher's, passed by the Council and Assembly of that Island: viz.

Printed in the Appendix (B.) Nos. 24 to 34.

1. "An Act for the Abolition of Slavery in this Island, and for the establishment of a System of Apprenticeship for a limited time in lieu thereof."

1st Clause.

"All slaves duly registered, and on the Island, above six years of age, shall, on the 1st August 1834, become apprenticed labourers; slaves on the seas, or absent from the Island against the will of their owners, shall be deemed to be within the Island for the purposes of this law."

2d Clause.

"The person entitled to the slave will have a right to the services of the apprentice."

3d Clause.

"Prædial apprentices shall continue such until 1st August 1840, and during that period such labourer shall work 48 hours in the week only."

4th Clause.

"Non-prædial apprentice shall continue such until the 1st August 1838."

5th Clause.

"Subject to the before-mentioned obligations, all persons in the Colony shall, on the 1st August 1834, become absolutely free."

2. "An Act for prescribing the Powers and Duties of Special Magistrates."

"Special magistrate has exclusive jurisdiction in questions relating to employer and labourer, not interfering with jurisdiction of superior courts."

"He is to visit once a fortnight, or oftener, every plantation in his district on which there are 10 apprentices."

"He is to keep a journal of all cases brought before him. He shall furnish the person first in command, every three months, with a copy thereof. He is not to receive salary until this be done. He shall take all complaints. Process to be issued by special magistrate, to be exercised by police officers, and may be executed in any part of the Island, though beyond his district."

"The special magistrate shall, after the 1st of July, have jurisdiction to hear and decide on any complaint. Special magistrate may have a retrospective authority over offences committed before 1st August." "This Act may be altered in this present session."

3. "An Act to divide Apprenticed Labourers into several Classes."

"After the 1st day of July 1834, slaves shall be divided into three classes, prædial apprentices attached to the soil, prædial apprentices not attached, and non-prædial apprenticed labourers. No persons 12 years old or upwards to be included, unless for 12 months before the 28th of August 1833 habitually employed in agriculture or in the manufacture of colonial produce. Return of slaves to be made on the 1st July next, or within 10 days after. Form of a return in schedule (A.) Returns may be amended up to the 5th August. If registrar doubt the accuracy of any return, owner to attend him and substantiate return. Registrar shall examine on oath the owner and the slave, and any other witnesses; and shall confirm and correct any return, within 24 hours' notice to the owner or slave of his decision. Master or slave dissatisfied with such decision may, by petition, appeal to the Court of King's Bench and Common Pleas, which are required to make all necessary rules for the dispatch of such business. There shall be affixed to the entry of all slaves in the registry, P. A., P. U., or N. P. Corrected slave registry, deposited in the secretary's office, to be conclusive in any dispute. Any person taking a false oath shall be liable to the pains and penalties of perjury. Persons neglecting to make returns or to obey summons of registrar, forfeit not less than 20 *s.* nor more than 10 *l.*

4. "An Act to provide for Apprenticed Labourers during the time of their Apprenticeship."

"Certain clauses of the General Amelioration Law to be in force, for the benefit of all apprentices, on the 1st of August next. Employer, with sanction of special magistrate, may commute with any labourer for allowances and clothing. Employer shall not be required to furnish labourer with his weekly allowance who receives food as sick. Certificate of any medical practitioner, under his hand, of any matter relating thereto, good evidence before magistrate. Mode of recovering penalties."

5. "An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers within this Island."

"Prædial apprentices to labour 45 hours in each week, and no longer. Not to be employed on Sunday, except in watching and in tending stock, or in other works of necessity. Non-prædial apprentices to labour for their employers as free hired servants do: dispute

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pute on this subject referred to special magistrate; and non-prædials not to work on Sundays, save in the protection of property, or in other works of necessity and in domestic services."

"All apprentices to conform to rules lawfully laid down for their governance by the person entitled to their services. Labourers offending against above clauses, punished as special magistrate may direct, according to rules in this Act prescribed. Four last clauses extended to any apprentices, who, although not bound to work, may reside on the estate of any person. To serve two extra hours or double the time of absence; such extra labour not to exceed 15 hours in one week; but if such extra labour shall extend beyond seven years, after apprenticeship shall have expired."—"Adjudged a deserter, and confined to hard labour for one week; and if a male, stripes, not exceeding 15, with a cat."—"Adjudged a vagabond, and confined to hard labour for two weeks; and if a male, stripes, not exceeding 15, with a cat."—"Adjudged a runaway, and confined to hard labour one month; and if a male, stripes, not exceeding 30, with a cat. In addition, offender shall make satisfaction for time of absence, and for time employed in hard labour, unless it be performed for benefit of employer."

"Labour in service of employer 15 hours in one week. Confinement, with hard labour, not exceeding one week: confinement, with hard labour, not exceeding one fortnight; and if a male, stripes, not exceeding 20, with a cat. Extra labour, not exceeding 15 hours in any one week, or confinement, with hard labour, for one month; or if a male, stripes, not exceeding 30, with a cat. Special magistrate may adjudge offender to receive any two or more of the last-mentioned punishments, in his discretion. On medical information that such person is able to work, solitary confinement for any period not exceeding 24 hours of the apprentice's own time; and if a male, in addition, stripes, not exceeding 30, with a cat. Confinement, with hard labour, not exceeding six months; and if a male, stripes, not exceeding 39, with a cat. Females not to be whipped, but punished in the stocks, with a badge of infamy; not to be kept in the stocks after sunset or before sunrise, nor more than eight hours in one day, or six days for one offence, or two days consecutively for any offence, or under any circumstances. All such stocks of one model, approved of by the officer administering the government. Any person attempting to seduce apprentice from performance of lawful services, or attempting to persuade him to neglect any work undertaken, or sheltering him having so absconded, shall, on conviction, pay a fine not exceeding 20 *l.*; and in default of payment, be committed to gaol for any period not exceeding three months. Offender being an apprenticed labourer, to undergo punishment imposed by this Act; nothing therein contained to abridge right of apprentice to engage in the service of any person during the time allotted to his own use by law. Apprentices cannot be arrested for debt, are ineligible as jurors or militia-men, or members of Assembly, churchwardens, coroners or vestrymen, or voters at election for any of the offices aforesaid, or justices. Act may be altered this session."

6. "An Act to prescribe the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the performance of the same."

"Any employer unlawfully protracting the weekly services of prædial apprentices, forfeits 1 *s.* for every such hour. A sufficient signal to regulate the hours. No apprentice to undertake task-work, except with free assent. Every contract for task-work to be in writing; such contracts not binding for more than 30 days, unless justice approves thereof. Special justice to secure payment of the compensation stipulated for. Apprentice violating the terms of such contract liable to the same penalties as prescribed for violation of duties owing to employer. Married women and children above 12 years may contract. Any violence upon person of apprentice punished by fine of 5 *l.*, with imprisonment 14 days in default of payment. One notice to be given of every complaint intended to be made."

7. "An Act to regulate the removal of Prædial Apprenticed Labourers from one Plantation to another, to establish certain Rules to govern the Sale of the Services of all Classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the Descent of the same in cases of Intestacy."

"The objects of this Act are fully disclosed in the title, and appear to require no explanation."

"No apprenticed labourer shall be liable to removal. Prædial apprentices only to be employed in the business of the estate to which they are attached, or on which they shall have usually been employed previously to 1st August 1834. Interest of any employer in the services of an apprentice shall be a chattel interest of personal estate, and be transferable by bargain, sale, gift, contract, conveyance and will, and be distributed in cases of intestacy."—"Provided that husband and wife, parent and child, not to be separated, nor prædial apprentice be removed from the soil to which he or she is attached; consent of one or more special justices of the peace to be first had."

8. "An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same."

"The Island is divided into three districts, each assigned to special magistrate, who shall reside within the same. Justice-room to be provided in each district, also a police establishment and place of confinement; that waste lands of the Crown be thereunto appropriated, and a committee directed to receive tenders for the purchase or rent of other lands and buildings. The special magistrate shall in certain cases commit offenders to any place of confinement. Special stipendiary magistrates shall sit in rotation every day in each week, when not engaged in visiting the estates, from 11 to 2 o'clock. A penal gang shall be established in each district. One sergeant and not more than nine policemen to be employed

employed at each police establishment; and on each estate policemen from among the apprentices to be nominated by the employer, in the proportion of two for every 100. Auxiliary constables for neglect of duty shall suffer punishments herein specified for breach of the duties prescribed for apprentices. After the passing of this Act, and before the 1st August, auxiliary constables shall be sworn by the person first in command. The special magistrate shall suspend from office any policeman, subject to the decision of the officer administering the government. Penal gang may be ordered by the special magistrate to work on the provision grounds of the district. Special justice shall once in each quarter make to the officer administering the government within this Colony a report of condition of the police force, buildings, provision grounds, &c."

9. "An Act to punish Apprenticed Labourers for Offences against the Public Welfare."

"Three or more apprentices uniting together in any riot, any justice shall order them to disperse; if they refuse, a conspicuous signal to be exhibited as a warning to all persons to disperse. After 10 minutes from the exhibition of such signal, all persons continuing present shall, on conviction, be liable to imprisonment, with hard labour, for 12 months. No apprentice shall reside beyond his district, unless with authority of master; when that is refused, special magistrate may, in his discretion, give such authority, &c. &c. &c."

10. "An Act to regulate Dissolution of Apprenticeship by the voluntary Act of the Employer, and to compel such Dissolution in cases where the Labourer is able and willing to purchase his or her Discharge from Apprenticeship."

"Apprentices may be discharged by deed from apprenticeship. Any person so discharged being 50 or upwards, or incapable to earn his subsistence, to be supported and maintained by persons discharging him; such deed to be recorded in the registrar's office within one month, otherwise void. Proceedings necessary before special magistrate, when employer is unwilling or unable to execute a discharge of the apprentice, or to be settled by valuation."

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

— No. 212. —

EXTRACT of a DESPATCH from Lieut.-Governor *Nixon* to Mr. Secretary *Spring Rice*, dated St. Christopher's, Government House, 6 Oct. 1834.

No. 212.

CONCEIVING you would be anxious to learn the state of this Colony since the great change which has taken place in the condition of the negro population, I take the liberty of reporting to you, that the negroes are generally now very tranquil, and work well under the new system of apprenticeship, although there are several estates where the apprentices manifest a sulky disposition, and do little work; but I am in great hopes that this disposition will be changed when a better understanding takes place between the labourers and their conductors, which no doubt will be the case when their relative duties are better defined.

At present there exists a jealousy between some of the managers or overseers on estates and the workpeople, the former not recollecting that slavery no longer exists, and the latter forgetting themselves, and behaving in a very insolent and provoking manner towards their superiors, but I have very little doubt that in a short time, if the stipendiary magistrates arrive from England and pursue a straightforward course, everything will work well. The negro character is that of being very suspicious, and I am convinced that not one in 50 could be persuaded that the special magistrates appointed from amongst the resident proprietors or planters in the Island would do them justice, and perhaps in some instances they may be correct, as special magistrates appointed from amongst the planters may not take an impartial view of what they might conceive would militate against their interest.

It is a matter much to be regretted that the Legislature of this Colony has not defined the hour for work. Numerous estates prefer working their people nine hours per day for five days, giving the Saturday to the negroes; other estates insist upon the labourers working every day for 7½ hours, by which means the apprentices are deprived of the Saturday to go to market with their produce for sale, or to work for the maintenance of their children under six years of age: this system is very vexatious, and particularly inconvenient to the apprentices.

I see little or no likelihood of inducing the Assembly, who are chiefly composed of agriculturists, to correct this evil, as it takes from the planter or his

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— No. 213. —

EXTRACT of a DESPATCH from Lieut.-governor *Nixon* to Governor Sir *E. J. Murray MacGregor*, Bart., dated Government House, St. Christopher, 1 Nov. 1834.

No. 213. I AM happy to report to you that I hear of very few complaints being made against the apprenticed negroes. They are going on very quietly, and, with very few exceptions, the gangs work as well as could be expected.

The Island is healthy, and there is a great prospect of very good crops the next year.

— No. 214. —

EXTRACT of a DESPATCH from Lieut.-governor *Nixon* to Mr. Secretary *Spring Rice*, dated St. Christopher's, Government House, 18 Nov. 1834.

No. 214. IT gives me sincere pleasure in stating that the apprenticeship system goes on far better than I believe any one anticipated. The negroes are in general very quiet, and, with very few exceptions, work well; numerous planters say that they get as much work done under the new system as ever they did during the existence of slavery, and some gentlemen (a good many) go so far as to say they get more. As yet it is but a short time since the emancipation took place, and the apprentices do not yet know the advantages they may derive from industry, which no doubt will soon present themselves to them.

— No. 215. —

COPY of a DESPATCH from Governor Sir *E. J. Murray MacGregor*, Bart., to Mr. Secretary *Spring Rice*.

Sir, Government House, Antigua, 22 Nov. 1834.

No. 215. THE enclosed reply to your circular letter of the 30th September is forwarded at the request of his Excellency the Lieutenant-governor of St. Christopher's.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

Enclosure in No. 215.

St. Christopher.

Sir, Government House, 18 November 1834.

Enclosure in No. 215. I HAVE the honour to acknowledge the receipt of your circular Despatch of the 30th September 1834, calling for my opinion in relation to the effects which free labour and the apprenticeship of the negroes is likely to produce, and to other matters therein mentioned.

As these points require due consideration, it will take some time to acquire the information called for, but I will immediately turn my thoughts to this important task, and reply fully to your questions. In the meantime it gives me sincere pleasure in stating that the apprenticeship system goes on far better than I believe any one anticipated. The negroes are in general very quiet, and, with very few exceptions, work well. Numerous planters say that they get as much work done under the new system as ever they did during the existence of slavery, and some gentlemen (a good many) go so far as to say that they get more. As yet it is but a short time since the emancipation took place, and the apprentices do not yet know the advantages they may derive from industry, which no doubt will soon present themselves to them.

I have, &c.

The Right Hon. T. Spring Rice, &c. &c. &c. (signed) *J. Lyons Nixon*, Lieut.-governor.

— No. 216. —

Copy of a DESPATCH from Governor Sir *E. J. Murray MacGregor* to Mr. Secretary *Spring Rice.*

Sir, Government House, Antigua, 1 January 1835.

No. 216. As you desire to obtain a more ample insight into the causes that led to the late Proclamation of martial law in St. Christopher's, it may not be irrelevant to recapitulate some of the particulars already conveyed to you, when your Despatch of the 16th of October, demanding additional information, reached me on the 26th November.

The circumstances that occasioned recourse to martial law were most copiously explained in statements, to which your recollection is now respectfully recalled, from the following gentlemen.

In a report, under date the 3d of August, Mr. Solicitor-general Claxton observed, "There is little doubt that emissaries have been sent from the leading gangs to the others, for the purpose of confirming them in their determination to strike work after the 1st of August, and that the well-disposed and irresolute have been threatened with violence to their persons and destruction to their property if they pursued a different course."

Another barrister, Mr. Piguenet, Judge-advocate of Militia, on the 19th of August, after noticing "the various threats of burning and poisoning which were, long antecedently to the 1st of August, held out by the negroes," said, "it is to be hoped that the late examples, which have been so necessarily made, and the prompt assistance afforded by your Excellency, will have the desired effect."

Mr. Berkeley, Deputy Provost-marshal, in a letter of the 19th of August, stated, "Permit me, in conclusion, to congratulate your Excellency on the speedy and happy termination of an excitement which, but for your Excellency's arrival in this Colony, and the prompt and judicious measures adopted by your Excellency, might have led to much destruction of life and property."

On the 13th of August, the Reverend D. G. Davis treated of "the causes of the late unfortunate disturbances," and expressed the hope, that "as misconception has now been corrected, and delusion dissipated by the presence and active exertions of your Excellency, and the co-operation of His Majesty's land and naval forces, and by other means, a discreet and temperate conduct on the part of those having the management of estates will soon restore quiet among the labourers, and harmony between them and their employers."

In recording, on the 17th of August, his opinion as to "the probable causes of the late rebellion, or insurrectionary movements of the slave population," the Reverend David Bigler, of the Moravian persuasion, remarked, "We rejoice too that, by the able and indefatigable exertions of your Excellency and those under your command, peace and order seem to be restored."

The representations from these reverend clergymen are corroborated in another, of the 18th of August, by the Reverend Mr. Cox, Wesleyan missionary, on the "causes of the late unhappy commotions amongst the apprenticed labourers," after detailing which at great length, he continued, "I cannot conclude without taking leave to express to your Excellency the abundant satisfaction which I, in common with very many in this community, have felt in your Excellency's presence and government at this important juncture, and in the wisdom, promptitude and success of the measures which your Excellency has adopted to effect the restoration of our tranquillity, and my gratitude to Almighty God, and to your Excellency too, for the accomplishment of that object without the effusion of blood, except in one solitary instance; and most sincerely do I pray, from a firm conviction of its importance, founded on an attentive examination of your Excellency's measures, that these Islands may long be favoured with the benefit of your Excellency's liberal and enlightened administration."

These papers embrace the period connected with the disturbances, both anterior to and pending my residence in St. Christopher's. You were also apprised of the intercourse between the Legislatures of that Colony, of the Virgin Islands, Montserrat and Nevis, and myself, and of the thanks they signified respectively for my "timely" visits to them, after quitting Antigua, on

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the 20th of July ; of my Proclamation of that date, in St. Christopher's, warning "all persons amenable to the law of apprenticeship to be submissive and obedient to the same, as they will answer to the contrary at their peril;" of the declaration of that Legislature ; of my resolution "to repress by the strong arm of power, if requisite, all opposition to the laws;" of my Proclamation directing the 1st of August to be held as a day of public thanksgiving ; of the proceedings of the Privy Council of the 4th of August, pronouncing that "if the present measures failed, it would be advisable to proclaim martial law;" of my Proclamations of the 5th of August, one offering rewards for the discovery of persons "employed in misleading the labouring classes of this Island, and inducing them to offer a combined resistance to the operation of the provisions of the Act passed for the Abolition of Slavery, &c.," and the other advising the working classes, unless they conform to the laws, &c. "as it is their duty to do," that "martial law will be proclaimed, and that it will continue in force until they shall be reduced to obedience;" of my Proclamation of the 6th of August, declaring martial law actually in force ; of a circular, of the 9th of August, from the Fort-adjutant, conveying my authority for sending confidential persons "to the runaways still out, informing them that, should they be at work on Monday morning, no notice will be taken of their conduct during the present week;" of my Proclamation of the 18th of August, discontinuing martial law ; of the general orders issued to His Majesty's troops and to the militia ; and of the messages between the Legislature and myself ; the Council expressing "sincere thanks for the promptitude with which you have repaired to this part of your Government, under the apprehension of disturbances amongst the labouring classes, and for the active and judicious measures which you have so successfully adopted to suppress them since their lamented occurrence," and the Assembly "the high sense they entertain of the prompt and judicious measures pursued by you, whereby the late rebellion of apprenticed labourers has been so happily quelled, and those deluded persons induced to resume their labours."

With the united testimony under your review of His Majesty's Privy Council, of the Legislative Council, of the House of Assembly, of the Crown and Colonial law officers, and of the ministers of peace, who all agree either in counselling, or in commending my measures as judicious, it certainly did not occur to me to anticipate that you might be led to regard those very measures as having served in reality improperly to substitute, in St. Christopher's, military in the room of civil law ; but as it may be desirable to revert to them hereafter, I beg leave in this place to remind you of the pressing instances made to me by the Lieut.-governor, the Council and Assembly, for "an increase of military force." The Board and House being unable to "enumerate the many instances of insubordination, riot and insults which have been lately evinced by the slaves in this Island," and the Lieut.-governor soliciting me to "move the Commander of the Forces to send at least three more companies for the protection of the lives and properties of the inhabitants, which are in such immediate danger," and likewise of my consequent application to his Excellency Sir Lionel Smith.

Having premised thus much, and in compliance with your wish to have before you "a more full and detailed account of the events which appeared to me and the Privy Council of St. Kitt's to render it necessary that martial law should be proclaimed in that Island," I have written (pursuant to the design notified in my Despatch of the 29th November) to the authorities there, copies of whose communications will be found in the enclosure marked (A), whence it may be convenient to insert certain extracts.

No. 1, 5 December 1834.

As a military and civil lawyer, the Judge Advocate-general, Mr. Piguenet, declares, in reference to the disturbances, that "the efforts of the civil power to overcome the resistance of the labouring population were ineffectual;" that "the evil increased daily, property was sacrificed, and eventually, after great forbearance, your Excellency proclaimed martial law according to the laws of this Island;" but for these measures adopted by your Excellency, "I think the Colony would have been ruined, and for the mild but determined conduct of your Excellency during that period, you are entitled to the gratitude of every class of persons within this Colony."

No. 2, December 1834.

Upon the same subject Mr. Burt, Speaker of the present as well as of the late Assembly, avows his regret "that doubts should be entertained

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of the expediency of a measure, to the timely adoption of which, in the general opinion of all who are witnesses to the then insubordinate spirit and turbulency of the negro population, is the present quiet state of this Colony solely attributed;" "that their intentions were to have destroyed the works on the estates, and that the passive resistance that took place was in consequence of the measure taken by your Excellency, particularly the appearance of the large naval force, a measure, in my opinion, rendered unavoidable, on account of the total inadequacy of the civil power;" and that "the adoption of that measure, from a full conviction of its having saved this Colony from anarchy and confusion, met the ready concurrence and warm approbation of the House of Assembly, while the firm, yet mild and lenient exercise of its powers by your Excellency, at a time of such general excitement and alarm, entitle you to the thanks of the landed proprietor, and the benedictions of the apprenticed labourer."

Nos. 3 & 4, 18 December 1834.

The newly elected House of Assembly, in an address recently presented, assert, after expressing "the grateful feelings we entertain for the judicious and prompt conduct by which your Excellency restored order to this community in August last, by suppressing a dangerous revolt," that "the ordinary process of the law was unequal to the prevention, or the adequate punishment of offences, till then happily unknown in our peaceful community, and therefore unprovided for by the recent necessary enactments." "The proclamation of martial law placed in your Excellency's possession a powerful but a necessary authority, and the moderation with which it was exercised, while it afforded the means of protection of property, equally precluded the commission of crime, and the necessity of its punishment." "You have therefore, Sir, the consoling reflection, that while your measures were characterized by prudence and firmness, they were also tempered by mercy."

Nos. 5 & 6, 21 & 20 Dec. 1834.

The Board of Council, "in compliance with the requisition of his Excellency the Governor in Chief, submit the reasons which induced them as members of His Majesty's Privy Council to advise the proclamation of martial law on the 6th of August last." They state, "that emissaries from the leading and more powerful gangs were constantly on the alert to intimidate the irresolute and to confirm the wavering, and that destruction to their property, and loss of life to themselves, were threatened as the result of obedience to the new law;" and in alluding to the disturbances in the other Colonies, they observe, "in this Colony the conduct of the apprentices was widely different;" that "evidence was obtained that in the Nicolay Town Quarter it was intended to resort to the use of fire, if continued efforts were made to compel labour;" adding, "this Board, at the important crisis under consideration, felt that they could confidently entrust to the distinguished officer who held the supreme command of the civil and military force of the Island the power with which military law would invest him, and that in the discharge of his important and responsible duties, mercy would abundantly temper justice." "The judicious and determined measures adopted by his Excellency, the perfect restoration to peace and good order, which were their early results, the consequent immediate suspension of military punishments, the circumstance of only one life having been forfeited to the insulted peace of the community, fully vindicate the measure advised by this Board, even if it was not completely warranted by the 53d clause of our Militia Law, which authorizes the proclamation of martial law by the person first in command in this Island, in case of actual or visibly approaching danger."

No. 7, 20 December 1834.

The Honourable Robert Claxton, member of Council and Solicitor-general in St. Christopher's, remarks, "I was fully impressed with the opinion expressed by the Colonial Secretary of State that martial law, as an extreme remedy, could not be safely resorted to except in extreme cases; but at the time referred to, the civil power was proved to be unequal to the restoration of obedience on the part of the apprenticed labourers of the Island to the laws of the Imperial Parliament." "The colonial law of this Island authorizes the proclamation of martial law by the person first in command, in case of actual or visibly approaching danger; if ever an occasion can be considered to come within the meaning of that clause, it was the crisis under consideration." "I felt myself therefore imperatively called upon, in a case of such extreme danger to the interests of this Island, and with a full consideration of the real welfare of the unfortunate and deluded delinquents, to advise the measure, which was so successful, and at the same time so merciful in its results."

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The public functionaries in St. Christopher's thus defending, on account of the inadequacy of the civil power to cope with the disaffected, and on the ground of the legal institutions of that Island, the soundness of the advice given to me by the Privy Council for the proclamation of martial law, my motives for acting on that recommendation came next to be assigned.

It is set forth in the Report of the Privy Council that "despatches were hourly received by his Excellency the Governor-in-Chief, from the magistrates, declaring the inefficiency to enforce obedience to the law; from the planters generally, stating the perishing condition of their stock, and earnestly praying for some decided measures to remedy the existing evils." If besides the excuse derivable from the reliance reposed by me on the weight which I imagined would attach to the concurrent evidence of the best judges on the spot, further apology is wanting for my having formerly withheld those documents, it will be abundantly supplied on reference to those financial arrangements of His Majesty's Government, whereby, owing to the absence of suitable staff and other official assistance, a Governor in my predicament, with six separate Colonial Legislatures to deal with, is most effectually deterred from voluntarily encountering any correspondence apparently superfluous.

Thirty-one of those communications adverted to will, however, appear copied in Enclosure (B.), 30 of which were conveyed to me between the 2d of August, the day of my return to St. Christopher's after repairing to the other Islands, and the 6th of that month, their substance being as follows:

Nos. 1 & 2, 2 August 1834. It is to be collected from the Lieut.-governor's letter and its enclosure, that the apprentices on twelve estates had refused to work, and that there was a "combination among them."

Nos. 3 & 4, 4 August 1834. The Lieut.-governor presumes orders will be given "to Mr. Fahie respecting his calling on the militia, or regular military force;" and Mr. Special Magistrate Fahie, although he has "heard of no violence or outrage," mentions that "the whole district is in a state of resistance to the authority of the masters and managers," and that the negroes upon seven estates, which he specifies, "refused to turn out to their work."

Nos. 5 & 6, 4 August 1834. The Lieut.-governor forwards a letter from Mr. Semper, entreating his Excellency "to take such measures as may best seem meet."

Nos. 7 & 8, 4 August 1834. The Lieut.-governor encloses a report, showing that the greater part of the apprentices on six estates "have left off work."

Nos. 9, 10 & 11, 4 August 1834. The Lieut.-governor transmits reports from Mr. Parsons and Mr. Caines to the same effect, respecting four estates, saying the strike in the neighbourhood is "universal," or "very general;" Dr. Caines remarking, "if some prompt measures are not taken, we shall materially suffer, by the starvation of our horses, cattle, &c."

No. 12, 4 August 1834. Mr. Hazell, of Conoly's estate, mentions, "there being no provender provided for the stock, I have been under the necessity of directing the overseer to appropriate a piece of cane sprouts for that purpose. On my leaving, the whole gang, I am informed, quitted the estate."

No. 13, 4 August 1834. The negroes on two estates, amounting to "360," Mr. Whitford reports, had "refused to obey his orders," &c.

No. 14, 4 August 1834. On Stapleton's, Mr. Davy states, the negroes declared, "they would submit to any punishment rather than perform their accustomed work without wages," one saying "they would prefer being shot."

No. 15, 4 August 1834. On Mardenborough's estate, Mr. Mardenborough says, the apprenticed labourers bid "defiance to the Act of the Imperial Parliament for the Abolition of Slavery; and that the cattle and other stock must inevitably perish unless immediate and proper measures be adopted to compel them to labour."

No. 16, 4 August 1834. Mr. Demming states, that the apprenticed labourers on Lucas's estate will "not work without wages."

No. 17, 4 August 1834. The apprenticed labourers on the Godwin estate, "in number about 220," Mr. Edwin observes, "had not turned out to work," adding, that "the cattle and other stock, after having been neglected for three days, must suffer greatly."

No. 18, 5 August 1834. Mr. Wilson affirms, that, amongst others, on the Grange, Woodley's and Beauriyeau's estates, "there are nearly 800 people, and all in a riotous way," and that those of the latter "are nearly all gone to the mountains."

No. 19, 5 August 1834. After "the most turbulent and rebellious resistance," Mr. Fahie reports that he succeeded "in securing some of those pointed out as ringleaders," on

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Gillis Payne's estate, and that "the rest of the negroes brought into the yard their hoes, and left them there." ST. CHRISTOPHER.

The same gentleman states, that the apprentices of Blake's estate "refuse to work," and "the district," he understands, "remains in the same disturbed state it was in yesterday." No. 20, 5 August 1834

Mr. Williamson says, that with "auxiliary constables, policemen and ordinary constables," he ordered "three individuals on Huskinson's estate to receive 50 lashes each;" and it appears from the enclosure he adverts to, that the gang "all cut off their hoes, and brought them to the door of the dwelling" of the director of the estate. Nos. 21 & 22, 5 August 1834.

Messrs. Wilson and Crawford, special magistrates, suggest "the necessity of establishing a system under which a severe example might be made on the spot of those negroes that have been taken into custody; as we are thoroughly convinced that nothing short of such a measure will save the Colony from ruin." No. 23, 5 August 1834.

Messrs. Dawson and Bond represent that the apprentices have ceased to work on the "Wells" and "Golden Rock" estates. Nos. 24 & 25, 5 August 1834.

Mr. Stevens, of the militia, and a manager, remarks, "My brother officers as well as myself consider that the most prompt measures are necessary to put down this state of insubordination and secure the safety of the district. Unless this is immediately done, I cannot answer for the consequences." And, alluding to the flight of Beauriyeau's gang to the mountains on a signal, "on seeing the auxiliary constables advance," he adds, "this agrees with the information I gave your Excellency at my last interview, of their intention to set fire to the buildings and canes, and fly to the mountains; the former of which, in my opinion, has been prevented only by the heavy rains which fell during the last three days." No. 26, 5 August 1834.

After enumerating several gangs retired to the mountains, Mr. Stephens says, "Woodley's estate negroes have not yet been at work, and declare they will resist any police force that may be sent to take them;" and "Mr. Wilson, of Greenhill, informed me this morning, that in searching the lock-up room on that estate, in which refractory negroes are confined, he found there pieces of touchwood bound up and wrapped in tar." No. 27, 6 August 1834.

Mr. Wilson, justice of the peace, mentions that the negroes on several estates have "gone to the mountains." No. 28, 6 August 1834.

Dr. Cains, Member of Council, and seven other gentlemen, assert, that "all steps taken by the civil authorities to induce or force the apprentices to work have entirely failed; and unless some prompt and effectual measures are resorted to, the entire destruction of our properties must shortly ensue." No. 29, 6 August 1834.

On the Fountain estate, and in St. Peter's parish, Mr. Favy complains that the negroes "had not turned out." No. 30, 6 August 1834.

Mr. Philips communicates, for the Lieutenant-governor's information, that "some secret understanding exists between those negroes who have absented themselves and those who remain on their estates;" and that "some plot has been planning for the subversion of His Majesty's laws in this Colony long before the 1st of August;" and further, "I have two men here in whom I can place confidence, but what are two, or more people, against an infuriated mob? I should therefore deem it expedient to appoint a certain number of regular troops, not only to protect the signal posts, but also those negroes who are loyally disposed, and to awe those into obedience who might be otherwise. Of the latter, I fear, there are too many among those who wear a different appearance." No. 31, 7 August 1834.

The materials to be gathered from the above appeals and other representations, with those previously sent home, present an answer in the affirmative to your inquiry, "Whether every effort of the civil power had been made, and had proved ineffectual, before the proclamation of the 6th (not of the 5th) of August was issued;" and as you require to know "what act of open violence affecting or threatening life or property had occurred" before that day, I must upon this head also turn to the same sources of intelligence, quoting, besides, another passage of Lieutenant-governor Nixon's Despatch of the 10th of July, detailing his having been grossly insulted in a progress through several estates, undertaken with the view of expostulating with the negroes; and relating that they declared "their resolution to resist, and not to work after the 1st of August without wages;" and that "they hooted, and, in some instances,

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instances, threw banana husks" at his Excellency; that "at one place it was contemplated to cut his horses' throats and break his carriage;" that "the overlooker of an estate was most roughly handled" in his Excellency's "presence, and probably would have been murdered, had not two of the most active of the rioters been seized and sent to gaol;" and that "as yet we have no police."

The very abstraction by the apprentices of those hours of their labour devoted by the Imperial Parliament to the service of their employers, openly injured the property of the latter, exposed their lands to waste, and their live stock to starvation; and when the negroes, while in the plain, endeavoured to commit murder in sight of the officer administering the Government, it was impossible to foretell into what outrages they might not have been urged by the emissaries said to be busied in luring them from their homes, had they been left at liberty to mature their machinations under cover of the hills and woods, where they secreted themselves in concert, or illegally deserting their usual places of abode.

You are pleased to "deprecate the existence of a belief, on the part of His Majesty's West Indian subjects, that martial law could be resorted to" on common occasions; but His Majesty's West Indian subjects are not liable to be misled by me on a matter of so much consequence, concerning which their conclusions are naturally regulated by the usages and legal enactments of their several Colonies, as confirmed in each under the sanction of the King.

In Antigua, for instance, it has from time immemorial been customary to proclaim martial law during the Christmas holidays; and in evidence of this fact, a newspaper is enclosed (C.), in which the discontinuance of the practice in the present year is thus promulgated:

"Thanks to the Governor, we have at last seen a Christmas pass without the nuisance of a civic guard. His Excellency himself expressed his conviction of the absence of all necessity for the proclamation of martial law. All who would have been harnessed for the duty are much obliged for his consideration; and the event has proved the soundness of his judgment."

Although martial law is a branch of the Royal Prerogative scarcely to be exercised within the United Kingdom, except in the event of invasion or actual rebellion, the position of Great Britain and that of her Colonies in this respect bear no sort of analogy to each other; the parent state having a large standing army and other powerful resources at its immediate command, and the numerical disproportion of its higher and lower orders being totally dissimilar to that prevailing between the like classes in the West Indies, where the number of persons possessing property is as nothing to that of the labouring population.

In the laws of St. Christopher's, No. 509, it is provided:

"46. And be it further enacted, that the Captain-general, or person first in command in this Island, in case of actual or approaching danger, shall order alarms to be fixed."

"48. That no alarm shall continue in force longer than seven days without the consent of the Council and Assembly of this Island: provided always, that it shall and may be lawful for the Captain-general or Commander-in-Chief of this Island for the time being, on receiving information or intelligence of any intended attack or descent upon this Island, or of probable or existing internal commotion or insurrection, to order and continue the alarm at his own discretion."

"53. That the Captain-general or person first in command in this Island may, in case of actual or visibly approaching danger, proclaim matial law in force, during the continuance of which, all persons in this Island shall be subject to the same."

It is, therefore, established, that as Governor of St. Christopher's, it was imperative on me, under the constitution of that Island, not to slumber in inactivity while danger ripened; but, if practicable, to guard against its actual arrival, by publishing martial law on discerning merely its visible approach.

But on revising my Despatch to Sir Lionel Smith of the 12th of July, imparting to his Excellency the requisition from the Lieutenant-governor and Legislature of St. Christopher's for a reinforcement of troops, you may perceive that my more comprehensive obligations in the capacity of Governor of the Leeward Islands and of Dominica were forcibly impressed upon my mind,

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his Excellency being thereby apprized of my opinion, that "under all circumstances, it would therefore seem imprudent to risk a further diminution of the force in Antigua, than by the employment of a company on any temporary detached service; but should the labourers of St. Christopher's after the 1st of August absolutely refuse to work in the character of apprentices, it is obviously of the first importance that the difficulty should be instantly grappled with and overcome, not only with the view of restoring public order in that Colony, but of obviating the still more serious evils likely to arise should the resistance to lawful authority be successful for such a period as to admit of the contagion spreading to the neighbouring possessions of the Crown." ST. CHRISTOPHER.

That my apprehension of this sort of combination was not fallacious, may be ascertained on inspecting the enclosure (D.), as its accuracy is thereby shown to be sustained by functionaries of the highest station and local experience within the Leeward Island Government.

Mr. Isaacs, President of the Virgin Islands, declares, "that no doubt whatever remains on my mind of the effect which the prompt and decisive measures adopted to check the late disturbances at St. Christopher's, and to restore the working classes of that Island to a proper degree of subordination, had on the same description of persons in this and the other Virgin Islands, in preventing their resorting to conduct of a similar nature, which, &c. was strongly indicated to be in contemplation." No. 1, 6 December 1834.

Mr. President Maynard, of Nevis, portrays the results that would have ensued, in his estimation, from a different conduct, ending in a "total disorganization of society;" and subjoins, "that your Excellency's measures in St. Christopher's prevented the occurrence in Nevis of the consequences I have specified, I am, after a full and careful revision of the circumstances of that period, thoroughly satisfied." No. 2, 10 December 1834.

The President of Montserrat, Mr. Hamilton, says, "without the aid of the military, the disturbances in August could not have been suppressed;" and "for the subsequent continuance of good order, we are, in my opinion, largely indebted to the decisive measures adopted by your Excellency in St. Kitt's." No. 3, 15 December 1834.

The Lieuteuant-governor of Dominica, his Excellency Sir Charles Schomberg, states, "It was officially reported to me that the watchword or catch expression was, 'We free; no bind; no work, as in St. Christopher's;'" and "I therefore come to the conclusion, that had the disturbances in St. Christopher's, instead of being treated as an extreme case and rapidly subdued by military means, been left, as in an ordinary instance of insubordination or refusal to work, to the operation of the civil law, the natural irritability of the French negroes, and the inherent volatility of their character, would in all probability have been encouraged by so dangerous an example of delay, and would have produced most lamentable results in the Island of Dominica, a country whose natural strength is such, that a handful of men in the fastnesses of the mountains could with ease maintain themselves against the utmost European force that could possibly be brought against them at that season." No. 4, 2 December 1834.

Mr. Lockhart, the President now administering the Government of Dominica, states, that "the working classes in this Island were influenced by the prompt measures adopted by your Excellency in subduing the disturbances in St. Kitt's; and I am strongly of opinion, that if the matter had been left to the operation of the civil law, the effect would not have been such as it has been;" and likewise that "movements in one Island are soon known in another by the labourers: and any disturbance, not immediately checked in one, seldom fails to give trouble in the other." No. 5, 19 December 1834.

The satisfaction signified in your Despatch of the 16th October, (St. Kitt's,) in allusion to the sentiments of the President of Nevis, who attributed to "the prompt and energetic measures" pursued in St. Christopher's, the maintenance of tranquillity within his own Presidency, will not be diminished, I would willingly flatter myself, on your witnessing the manifestation towards me of similar cordiality and good "feeling," not only as renewed by himself, but as also cherished by the Lieutenant-governor of Dominica and the Presidents of that Colony, of the Virgin Islands, and of Montserrat.

As you have assumed that I am "aware that, with this single exception, all partial disturbances or acts of insubordination which have occurred in His Majesty's West Indian Colonies have been met and suppressed by the civil power,"

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power," it is proper to assure you that no such circumstance was consistent with my knowledge; but (Enclosure E, 1,) it will be seen that I have applied to Sir Lionel Smith in the following terms upon the subject: "As your Excellency enjoys better opportunities of acquaintance with transactions in the other Colonies, may I take the liberty of requesting to be informed whether any disturbance of the like nature, equally serious, and involving equally important consequences in its issue as that subdued in St. Christopher's, has been put down by the civil power alone in any of the Islands under your Excellency's superintendence as Governor-in-Chief, or within the still wider range of your military command."

16 December 1834.

In answer, (Enclosure E, 2,) his Excellency remarks, "the only instance, even of partial disturbance, in the Windward Government was at Grenada. There the negroes of one or two contiguous estates declared against apprenticeship, and that they would not work. The magistrates, well knowing their own inefficiency, immediately called for military aid, and a company of the 1st West India regiment seized the principals, and restored order. Had this been neglected or slowly executed, depending on the civil authority, and waiting for actual mischief to warrant the call for troops, as in countries where all the inhabitants are protected by similar or equal laws, a combination, presuming on the weakness or fears of Government, would have spread over the Island, and created general resistance."

"From Trinidad I was called upon for more troops. The negroes, in a state of ignorance, deserted the estates and flocked to the capital, but I never heard that they committed violence; and the Lieutenant-governor soon found himself strong enough to maintain the laws with the means he had."

"In Demerara, the Lieutenant-governor, a military officer, reported the movement and use of three companies of the line to put down a combination of negroes."

"There is every reason to believe that this bad spirit was not general in these Colonies; and the two latter being Crown Colonies, it is very likely the civil authorities had more strength than in those Colonies which maintained no police establishments on a scale to control the negro population in a general state of resistance. Where such was the case, I should be of opinion military law was unavoidable."

From this statement it is to be deduced, in the only Island of the Windward Government where a slight commotion arose, and in Demerara, military means were had recourse to in order to coerce the disobedient labourers; that in Trinidad the negroes, in lieu of hiding in mountainous forests, as in St. Christopher's, placed themselves at once within reach of the Lieutenant-governor's resources, by assembling at the seat of Government; and that the "bad spirit" notoriously general amongst the apprentices in the Leeward Islands and Dominica, was not so either in the Crown Colonies or Windward Islands.

As you are so good as to say, "I doubt not that the grounds on which you asked the opinion of the Board, on the 4th of August, with respect to the necessity of proclaiming martial law, will, when more fully stated, appear conclusive," it is right to explain that the Board of Privy Council were advised with by me as to its expediency on the 6th, as well as on the 4th of August, and to solicit your deliberate attention to my then situation, as exhibited in my letter of the 27th November to Sir Lionel Smith: "Your Excellency is aware of the pressing calls of the authorities in St. Christopher's for aid; that the force at your own immediate disposal was fully occupied; that the demands of Antigua prevented me from removing more than one company from this garrison to Basseterre; and that for its conveyance thither I was indebted to the accidental presence of the Belvidera at Barbadoes, and to your Excellency's kindness in communicating with Captain Strong."

"The mass of the apprenticed labourers soon afterwards withdrew from the estates to which they were by law attached, and, covered by woods, congregated in the mountains of the interior, where no chain of military posts could hem them in, and whence they could emerge in any numbers, at any time, and towards any quarter or quarters they might have thought proper, augmenting not only their powers of devastation, if tempted by hunger, the suggestions of their ringleaders, or by my supineness, to descend into the lower grounds, but the difficulty of the troops in overtaking them, as the arena expanded towards the circumference of the Island."

"The

"The minds of the working classes in the Virgin Islands, Nevis and Montserrat were unsettled, and any hesitation evinced by me at St. Christopher's would have prolonged the double risk of encouragement to the insubordinate negroes there being afforded by corresponding proceedings of their fellows in the adjacent Colonies, or of inciting the last-mentioned parties to persevere in emulating the resistance of the former." ST. CHRISTOPHER.

Had I been minutely conversant with the interior affairs of St. Christopher's, and even permanently resided there as officer administering its government, the condition of the Island in August last would surely have justified me in consulting the Privy Council with respect to it; but there is a peculiarity touched upon in the same Despatch to Sir Lionel Smith, which would seem decisive of the point: "Between the duties of the Lieutenant-governor of Demerara, Trinidad and St. Lucia, and those of your Excellency and myself as Governors of the Windward and Leeward Islands, there appears to me a very marked disparity; the arrangements to be conducted by them being of a less complicated nature, because, however extensive their jurisdiction, the measures they have to pursue are generally applicable but to one theatre of action. With us the case is different, and owing to our respectively governing several Islands, each with a separate internal administration, our position is rendered much more critical."

That this is not an invidious or unjust comparison, the complete alteration the structure of society in Antigua was destined to undergo on the 1st of August last, by the sudden elevation of its labouring orders from slavery to freedom, may not unworthily illustrate. It was while intent on providing for the arrival of that crisis in this Island that I was reluctantly compelled to quit it, in order to respond to the cry of peril unexpectedly issuing from St. Christopher's; and until the hour of my departure, the new arrangements to be instituted here, in as far as they depended on the executive, demanded and received my personal directions. On removing suddenly to a totally different scene, in which, although in a great degree a stranger, I was obliged to become the principal actor, the very nature of the case involved the necessity of seeking the best authenticated information; and there being none to be more implicitly confided in than that procurable from His Majesty's Privy Councillors, who are deeply responsible for their advice to the representative of the Sovereign, furnished me with undeniable grounds, on landing in St. Christopher's, for ascertaining the feelings of the members of that Board.

On the 13th of October, in a Despatch expressive of your "regret that it became necessary to employ any other than the civil power in Montserrat," it is added, "I can easily conceive that deficiency of police force may have rendered the employment of the military indispensable, and it is, at all events, satisfactory to learn that it was effectual to its object." When it is remembered, therefore, on Lieutenant-governor Nixon's authority, that there was at the time of the disturbances no police in St. Christopher's, and no whisper of commotion having hitherto transpired from that Island since I left it, the same reasoning that in the one instance admits, cannot in the other consistently deny, the expediency of military interference.

I have now, Sir, fulfilled your commands in such a manner, it is to be hoped, as will remove any indistinct impressions you may previously have imbibed of facts attendant on the abolition of slavery in August last in St. Christopher's, and in His Majesty's other West Indian Colonies, or at any rate, as will answer fully at least the questions propounded in your communication of the 16th of October.

Acting on the principle of my observations in Privy Council on the 19th of August, "that the interests of St. Christopher's were not alone at stake, but that those of the other Colonies under the system of apprenticeship were exposed to the influence of her example, every inducement," as therein stated, "conspired to prompt me in crushing the threatened evil in the bud;" to that end, availing myself of the power legitimately devolving on me under the local enactments of St. Christopher's, and after due warning to the delinquents, I did not hesitate, as a measure of precaution, to proclaim martial law on the 6th of August. On the 9th, an amnesty was tendered to such apprentices as would agree to work; and on the 18th, another proclamation restored the Colony to the jurisdiction of the civil power, the purposes for which the law martial had been introduced being, in that short interval, effectually

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tually attained. To my sense of the paramount importance of executing this service with extreme rapidity my life was nearly sacrificed at the moment, owing to over exertions, from which my health has ever since materially suffered; but, cheered by the internal consciousness of having zealously discharged my duty to the King, by the favourable opinion of the public bodies and principal officers of the communities concerned, and by the sounds of "God bless you, Sir," "God bless you, master," which greeted me on re-embarking from St. Christopher's, I most unfeignedly rejoice that those exertions were not spared; and that, in the accomplishment of the arduous task imposed on me, I did not shrink from responsibility, the consequences of which it is now, of course, incumbent on me, with every deference and respect, to meet.

For the courtesy observed in intimating your doubts of the propriety of my ulterior proceedings, as well as for the approbation formerly conveyed in your Despatches of the 5th and 6th of September, when you considered me engaged in the comparatively trivial occupation of repressing "ordinary cases of insubordination or of refusal to work," I take the liberty, in conclusion, of returning my sincere acknowledgments.

I have, &c.

(signed) *E. J. Murray MacGregor*, Governor.

Enclosure (A.)

(No. 1.)

Sir, St. Christopher's, 5 December 1834.

Enclosure (A.)

I HAVE the honour to acknowledge the receipt of your Excellency's letter of date 27th ult., stating, that with the single exception of this Island, the partial disturbances or acts of insubordination in His Majesty's West India Islands had been met and suppressed by civil means; and desiring me to explain the grounds upon which, as a military and civil lawyer, I was satisfied, by acts of open violence affecting or threatening life and property, on the part of the labouring population of this Colony, or otherwise, that the efforts of the civil power to overcome their resistance were ineffectual, and that it became requisite for the purpose that martial law should be proclaimed.

In my report to your Excellency of date 19th of August last, I remarked that the examples therein alluded to were necessarily made by you, and, on further reflection, I feel the more confirmed in that opinion.

For some time previous to the 1st of August a spirit of insubordination was openly evinced by our labouring classes, and more particularly by the contempt in which they held the civil power, and the insults and indignities offered by several of them to our Lieutenant-governor. For these various reasons the Legislature applied to your Excellency for assistance, which you immediately afforded; and sufficient time elapsed before the 1st of August for the insurgents to communicate with the neighbouring Islands, and to relate the measures adopted here. To this may be attributed the ease with which the partial spirit of revolt was checked in those Islands, as, perhaps, the discontented there profited by the example afforded them in this Colony.

I am of opinion that the civil authority was totally inadequate to check the general spirit of revolt in this Island: our free population was very small, and, compared with the labouring classes, shows a fearful disparity. Our highest civil authorities had not only been disregarded, but openly insulted, by the labouring classes, who openly declared that the King had made them free, but that the authorities here were endeavouring to keep them in bondage; that they cared not for the militia, and that the King's troops would not act against them. Repeated endeavours were made by the civil power to undeceive them; the evil increased daily; property was sacrificed; and eventually, after great forbearance, your Excellency proclaimed martial law, according to the laws of this Island. But for these measures adopted by your Excellency, I think the Colony would have been ruined; and for the mild but determined conduct of your Excellency during that period, you are entitled to the gratitude of every class of persons within this Colony.

I have, &c.

To his Excellency
Sir Evan J. Murray MacGregor, Bart.
&c. &c. &c.

(signed) *J. E. Piguenet*,
Judge Ad. Genl.

(No. 2.)

Sir, St. Christopher's, December 1834.

I HAVE the honour of acknowledging the receipt of your letter of the 27th last month, informing me that doubts had been suggested of the necessity of resorting to the alternative of martial law for the purpose of suppressing the late insubordination manifested by the apprenticed labourers, and requiring me, as Speaker of the House of Assembly during your Excellency's visits to this Island at that period, to state, from my knowledge of the previous intentions, designs and spirit of the negro population, why, in my estimation, it became requisite

requisite to employ military instead of civil means for the due subjection of the apprentices to law, and for the protection of the respectable inhabitants of the Colony.

It is a subject of regret to me that doubts should be entertained of the expediency of a measure, to the timely adoption of which, in the general opinion of all who were witnesses to the then insubordinate spirit and turbulency of the negro population, is the present quiet state of this country solely attributed.

I firmly believe, from the threats that were openly made by the negro population before the 1st of August, which occasioned the application by the Legislature to your Excellency, that their intentions were to have destroyed the works on the estates, and that the passive resistance that took place was in consequence of the measure taken by your Excellency, particularly the appearance of the large naval force; a measure, in my opinion, rendered unavoidable, on account of the total inadequacy of the civil power to cope with so general and openly declared resistance to the constituted authorities.

The adoption of that measure, from a full conviction of its having saved this Colony from anarchy and confusion, met the ready concurrence and warm approbation of the House of Assembly, while the firm, yet mild and lenient exercise of its powers by your Excellency, at a time of such general excitement and alarm, entitle you to the thanks of the landed proprietor and the benedictions of the apprenticed labourer.

I have, &c.

To his Excellency (signed) *George Henry Burt*,
Sir E. J. Murray MacGregor, Bart. Speaker.
&c. &c. &c.

(No. 3.)

Sir, St. Christopher, 18 December 1834.

I HAVE the honour to transmit to your Excellency the enclosed Address from the House of Assembly, expressive of the high sense entertained by them of the judicious measures pursued by you in suppressing the revolt of the labouring classes in August last.

I have, &c.

(signed) *George Henry Burt*, Speaker.

(No. 4.)

To His Excellency Sir *Evan John Murray MacGregor*, Bart.

May it please your Excellency,

WE, His Majesty's most dutiful and loyal subjects, the Assembly of St. Christopher's, avail ourselves of the opportunity which the opening of the present session affords to express the grateful feelings we entertain for the judicious and prompt conduct by which your Excellency restored order to this community in August last, by suppressing a dangerous revolt.

We feel assured that it is alone to the course then adopted by your Excellency that the peace and good order which at present prevail among the labouring classes of our population is to be attributed; the wisdom of your Excellency's measures being fully established by their results.

When we reflect on the determination which the late slave population evinced to oppose the laws; their unreserved declarations to that effect, made, not only in the hearing of every passer-by, but addressed to his Excellency the Lieutenant-governor, when he sought to explain to them the benevolent intentions of His Majesty's Government; when we consider how unavailing were the proclamations addressed by your Excellency to these persons, for the purpose of inducing them to return to their duties; how much greater they were in numerical strength; how general was their revolt, and how determined their disobedience; we cannot but regard the proclamation of martial law as a salutary measure, which prevented much evil. The ordinary process of the law was unequal to the prevention or the adequate punishment of offences, till then happily unknown in our previously peaceful community, and therefore unprovided for by the recent necessary enactments. The proclamation of martial law placed in your Excellency's possession a powerful but a necessary authority; and the moderation with which it was exercised, while it afforded the means of protection for property, equally precluded the commission of crime and the necessity for its punishment.

You have, therefore, Sir, the consoling reflection, that while your measures were characterized by prudence and firmness, they were also tempered by mercy.

George Henry Burt, Speaker.

(No. 5.)

Sir, St. Christopher's, Government House, 21 December 1834.

I HAVE the honour to enclose a copy of a letter I have this moment received from the Board of Council, on the subject of your Excellency's communication of the 27th of November last.

I have, &c.

To his Excellency (signed) *T. Lyons Nixon*,
The Governor of the Leeward Islands. Lieutenant-governor.

ST. CHRISTOPHER.

(No. 6.)

Sir, Privy Council Room, Basseterre, 20 Dec. 1834.

In compliance with the requisition of his Excellency the Governor-in-Chief, we now submit the reasons which induced us, as Members of His Majesty's Privy Council, to advise the proclamation of martial law on the 6th of August last, as the only means of subduing the resistance made by the apprentice labourers to the provisions of the Imperial Act for the Abolition of Slavery.

For some time previous to the 1st of August it was ascertained that a very general feeling prevailed among the slave population inimical to the intermediate state of apprenticeship prescribed by the Statute of the Imperial Parliament. This feeling was more particularly developed by the manner in which they received the information attempted to be given them on this important subject by the religious teachers in various parts of the Island. The influence which they were known to have obtained over the minds of the great body of our slave population had been for a series of years gradually increasing, and the facility with which they threw off that influence marked the spirit that actuated them. They refused to listen to any explanation of the advantages which they would derive from the system of apprenticeship, or received with distrust, and even at times with abuse, the advice and opinions of all those persons whom they had been accustomed to consider as their best friends. They were fully impressed with the idea that the abolition of slavery was the decision of the Imperial Parliament, and that the system of apprenticeship originated with the Colonial Legislatures. The circumstance of the Legislature of Antigua not adopting the apprentice system was attributed to the presence and to the influence of the Captain-general; and the report that Lord Romney, an extensive proprietor in this Island, intended to absolve his people from their apprenticeship, confirmed them in the belief that they were unjustly treated. Had this feeling been partial, it would not have excited much apprehension; but it was known to be generally diffused over the whole Island. It was supposed that explanation on this important subject, afforded to the slaves by His Majesty's representative, would arrest their attention, and that they would listen to him with respect; but they received your Excellency everywhere with insults and derision, and in many places they proceeded to acts of riot and insubordination in your presence.

It was ascertained that emissaries from the leading and more powerful gangs were constantly on the alert to intimidate the irresolute and confirm the wavering, and that destruction to their property and loss of life to themselves were threatened as the result of obedience to the new law. This was exemplified by several cases of severe batteries which were investigated by the magistrates; and the sentiment which they were frequently heard to express, that "they would give their souls to hell and their bodies to the sharks" rather than be bound to work as apprentices, evinced a determination which could not be mistaken. Under these circumstances, our attention was naturally directed to the code of laws recently passed, to the power thereby entrusted to the special magistrates, and to its efficacy in suppressing any probable revolt. These laws had been passed at a time when the quiet demeanour of our agricultural population, and their cheerful obedience to the existing laws, entitled them to confidence rather than awakened suspicion, and the punishment thereby permitted for the most serious offence did not exceed 39 stripes. The laws were passed, and transmitted by you to the Colonial Secretary of State, and transcripts forwarded to his Excellency the Governor-in-Chief, in the month of March; but the authority to fix your assent to them was not received by you until the 18th of July; consequently, the system of police thereby contemplated, with the necessary constabulary force, was hardly organized before the eventful day arrived on which it was required to act. One only of the special magistrates appointed by Government had arrived in the Colony; and by the new system of laws, the ordinary magistrates could not interfere between the apprentices and their employers.

Other special magistrates were appointed by your Excellency, but they had not the influence which might have been expected from those directly appointed by His Majesty. It is admitted that up to the evening of the 31st July the slaves everywhere performed their duty on their respective estates with nearly their usual assiduity, and that subsequently thereto no acts of violence, either to persons or property, were committed. The resistance, however, which was offered to the law by these misguided people, although passive, would in its consequences have been most destructive to property, and but for the active and judicious measures adopted might have assumed a character and produced results which have been most fortunately avoided. The disturbances in the other Colonies, as far as we have been informed, were partial; in many cases the resistance to the law was active. In the first case, the punishment of a few was a sufficient example to others, and in the second case, the apprehension and punishment of the offenders were readily effected by the civil authorities. In this Colony the conduct of the apprentices was widely different. On the morning of Monday the 4th of August, when the labour of the apprentices was generally required, there was not a labourer to be found at work on any estate in the Island, with the exception of eight or nine in the neighbourhood of town, and almost within the reach of the guns of the ships of war at anchor in the roadstead. The remonstrances of the managers and overseers were ineffectual in inducing them to labour, and where offenders were apprehended and punished to the extent of the law, they did not hesitate openly to express their determination of continuing their disobedience. Additional special magistrates were appointed by his Excellency the Governor-in-Chief; but their efforts, although supported by the presence of the military, were useless and unavailing. The apprentices were impressed with the conviction,

tion, that as long as they refrained from acts of violence, no law could more strongly visit their disobedience; that His Majesty's troops would not be ordered to act against them; and that perseverance in the line of conduct adopted must produce concession on the part of the planters, and that they would thereby obtain a release from their apprenticeship.

The warning proclamation issued by his Excellency the Governor-in-Chief in no one instance had the expected effect; but in the towns, in an hour or two after they had been posted up, not one copy could be seen. This circumstance was calculated to produce the belief that the domestic apprentices, and perhaps the lower class of free people, were in council with the general mass of the disaffected. Evidence was obtained that in the Nichola Town Quarter it was intended to resort to the use of fire if continued efforts were made to compel labour. From the 1st to the 6th August no work had been done on the estates, therefore the stock had been during that period unprovided with their accustomed food, and must have perished or have been driven to feed upon the growing crops. Despatches were hourly received by his Excellency the Governor-in-Chief, from the magistrates, declaring their inefficiency to enforce obedience to the law; from the planters generally, stating the perishing condition of their stock, and earnestly praying for some decided measures calculated to remedy the existing evils. It was at this period, and at this period only, that this Board, from a full conviction that the civil authorities were unequal to cope with the peculiar, combined and organized resistance to the law evinced by the apprentices; that vacillating and uncertain measures, by giving to them a false and delusive confidence, would strengthen them in their disobedience, and perhaps impel them to heavier offences against the laws; and that the prevention of crime was infinitely to be preferred to its necessary and consequent punishment, felt themselves justified in advising the proclamation of martial law, when the measure was suggested by his Excellency the Governor-in-Chief. This Board at the important crisis under consideration felt that they would confidently entrust to the distinguished officer who held the supreme command of the civil and military force of the Island the power with which military law would invest him, and that in the discharge of his important and responsible duties, mercy would abundantly temper justice. The judicious and determined measures adopted by his Excellency; the perfect restoration to peace and good order which were their early results; the consequent immediate suspension of military punishments; the circumstance of only one life having been forfeited to the insulted peace of this community, fully vindicate the measure advised by this Board, even if it was not completely warranted by the 53d clause of our militia law, which authorizes the proclamation of martial law by the person first in command in this Island in case of actual or visibly approaching danger.

We remain, &c.
(signed) *William G. Crooke*, President.
D. G. Davis,
Thomas Swanston,
C. G. Payne,
Robert Claxton.

To his Excellency the Lieutenant-governor.

(No. 7.)

Sir, St. Christopher's, 20 Dec. 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch of the 27th November, enclosing copy of a letter addressed to his Excellency the Lieutenant-governor, to be opened in Privy Council. The reasons which compelled me, as a member of His Majesty's Privy Council, and as the law officer of the Crown and constitutional adviser of your Excellency, while administering the Government of St. Christopher's, to advise the proclamation of martial law on the 6th of August last, are fully detailed in the letter addressed to his Excellency the Lieutenant-governor by the Privy Council of this Island, to which I have the honour to refer you. I beg to assure your Excellency that I was fully impressed with the opinion expressed by the Right Honourable the Colonial Secretary of State, that martial law as an extreme remedy could not be safely resorted to except in extreme cases; but at the time referred to the civil power was proved to be unequal to the restoration of obedience on the part of the apprenticed labourers of the Island to the law of the Imperial Parliament. The colonial laws of this Island authorize the proclamation of martial law by the person first in command in cases of actual or visibly approaching danger. If ever an occasion could be considered to come within the meaning of that clause it was the crisis under consideration. I felt myself therefore imperatively called upon in a case of such extreme danger to the interests of this Island, and with a full consideration of the real welfare of the unfortunate and misguided delinquents, to advise the measure, which was so successful, and at same time so merciful in its results.

I have, &c.
To his Excellency the Governor-in-Chief, (signed) *Robert Claxton*.
&c. &c. &c.

(True copies.)
E. J. Murray MacGregor, Governor.

ST. CHRISTOPHER.

Enclosure (B.)

Enclosure (B.)

(No. 1.)

Sir, St. Christopher's, Government House, 2 August 1834.

I HAVE the honour to enclose you an extract of the letter I showed your Excellency this morning, enumerating the estates that threw up their hoes and bills in the district of Cayon. Since I had the honour of seeing you this morning, Dr. Caines reports that several of his negroes have done the same; and in the neighbourhood, at Coleman's estate, the negroes have followed the example, and have refused to work.

I have been just now in communication with some gentlemen of Sandy Point district, who are very confident that the estates in that quarter will follow the example; and it has been suggested that if one of the ships of war was anchored off Sandy Point (very good anchorage), that the presence of such a force would have a very good effect indeed, and might be the means of intimidating the negroes, and preventing them from committing any breach of the laws when they are required to go to their work on Monday.

If your Excellency concurs in this suggestion, perhaps you would have the goodness to take such measures as you may deem proper to get this object effected.

I certainly beg to offer my opinion that prevention is much better than cure.

To his Excellency
The Governor of the Leeward Islands,
&c. &c. &c.

I have, &c.
(signed) *J. Lyons Nixon*, Lieut.-governor.

(No. 2.)

EXTRACT from a LETTER from Mr. *Adam Stevens*, Director of Bourregan's Estate, to His Excellency the Lieut.-governor, dated 1 August 1834.

I CONSIDER it proper to inform you that yesterday evening, when the gang of this estate left off work, they brought their hoes into the yard, threw them down, giving a loud huzza, and left them.

I asked their reason for so doing, but could get no answer; I was also informed at parade this morning by the managers and overseers of the following estates, say, Baker's, Woodley's, Mill's, Philips's, Spooner's, No. 7, Molineux, Ottley's, Grange's, Mathews's and White's, negroes all did the same. This evidently shows a combination among them to resist the laws, and cease to work except on their own terms.

(No. 3.)

Sir, St. Christopher's, Government House, 4 August 1834.

I HAVE the honour to forward to your Excellency the copy of a report which I have just received from Mr. Fahie, special magistrate for the district of Sandy Point, reporting that the negroes of the several estates in his district have refused to work.

The local Acts of the Island are not yet printed, consequently I could not furnish Mr. Fahie with copies of them for his guidance.

I presume that your Excellency will give your orders to Mr. Fahie respecting his calling on the militia or regular military force, which he speaks of doing, as I do not, in the absence of your orders, conceive myself authorized to interfere.

I have, &c.
His Excellency (signed) *J. Lyons Nixon*, Lieut.-governor.
The Governor of the Leeward Islands,
&c. &c. &c.

(No. 4.)

Sir,

I LOSE no time in stating to your Excellency that I have received official information from the managers of the under-mentioned estates that the negroes thereupon have almost unanimously refused to turn out to their work, and are in a state of passive resistance to the law, for as yet I have heard of no violence or outrage. The police constables, I have been given to understand, are in a state of great inefficiency; I shall not therefore hesitate, in case of necessity, to call for the aid of the militia or regular military force. I beg also to state to your Excellency that I am without a single data, or instruction of any kind whereby to guide myself.

I have, &c.
To his Excellency the Lieut.-governor. (signed) *G. A. W. Fahie.*

I have just heard as a general report that the whole district is in a state of resistance to the authority of the masters and managers of the estates.

The

The official Reports made to me.

Sir Gillias Payne - - - -	Mr. Pearl.
Brotherson's - - - - -	Hon. G. H. Burt.
The Bottom - - - - -	Mr. Salter.
Belmont - - - - - -	Mr. Davis.
Bart's and Cranstoun's - - -	Mr. Malaliers.
Newton's - - - - - -	Mr. Hardtman.
Belle Fête - - - - -	Mr. Semper.

(A true copy.)
(signed) *J. Lyons Nixon*, Lieut.-governor.

(No. 5.)

Sir, Government House, 4 August 1834.

I HAVE the honour to enclose, for your Excellency's information, a letter which I have just received from Mr. Semper of Belle Fête estate.

I have only to add, that I have not given Mr. Justice Fahie the directions which Mr. Semper seems to imagine were issued by me.

I have, &c.

To his Excellency (signed) *J. Lyons Nixon*, Lieut.-governor.
The Governor of the Leeward Islands,
&c. &c. &c.

(No. 6.)

Sir, Belle Fête Estate, 4 August 1834.

I BEG to inform your Excellency that my apprentice labourers have refused to obey my directions or turn out to work. In reference to Mr. Justice Fahie, I understand he has been particularly directed by your Excellency not to interfere as regards these apprentices. I therefore beg to state to your Excellency that I am consequently placed in a very unpleasant situation, as no other means now present themselves whereby these people may be brought to a proper sense of their duty.

I request your Excellency will be induced to take such measures as may best seem meet to you.

I have, &c.
(signed) *H. Semper.*

(No. 7.)

Sir, Government House, 4 August 1834.

I HAVE the honour to transmit to your Excellency a report I have just received from Mr. Williamson, of Old Road.

I have, &c.

To his Excellency (signed) *J. Lyons Nixon*, Lieut.-governor.
The Governor of the Leeward Islands,
&c. &c. &c.

(No. 8.)

Old Road, Monday, 5 August 1834.

Cow Phips.—None of the field people turned out. Cooper, distiller, fireman and all the stock-keepers, four watches, house servants of their respective work; one field negro come into hospital; four in hospital; two drivers at duty.

Romney's.—All quiet.

Conyer's.—Four of the field-people at work, driver, overlooker, two watches, two stockmen. The two constables appointed. The rest absent.

Lambret's.—None of the field gangs at work, except one Speedwell. Present, three drivers, one overlooker and constables.

Wingfield's.—Overlooker, two drivers, four stock-keepers, and all the house servants present; none at work in the field or at the works.

Hutchinson's.—Present two drivers, overlooker, four stock-keepers, two distillers, a mason and all the house servants. None at work in the field.

August 4, 1834, Justice Room, Old Road,
Sir, half-past nine o'clock.

WE beg to forward what reports we have received up to this hour.

Your obedient servants,
(signed) *Henry Davis*, J. P.
Wat. Williamson, J. P.

(No. 9.)

Sir, Government House, 4 August 1834.

I HAVE the honour to enclose your Excellency two reports which I have received one from Mr. Parsons of Estridge's estate, the other from Dr. Caines of Belle Vue.

I have, &c.

To his Excellency (signed) *J. Lyons Nixon*, Lieut.-governor.
The Governor of the Leeward Islands.

(No. 10.)

Sir, Estridge's Estate, 4 August 1834.

I BEG leave to inform your Excellency that the gang upon this estate (the tradesmen, the drivers, and a few others excepted,) have absented themselves from their work this morning. I am informed by the head driver the strike is universal in the neighbourhood.

I am, &c.
(signed) *G. H. Parsons.*

(No. 11.)

Sir, Belle Vue, 4 August 1834.

I BEG leave to inform your Excellency that none of my apprenticed field labourers have turned out to work this morning. The same is the case at Stone Castle estate and at Lower Estridges, excepting that two labourers have turned out on the latter.

I rather think that the strike on this side is very general.

If some prompt measures are not taken, we shall materially suffer by the starvation of our horses, cattle, &c.

I have, &c.

To his Excellency Lieut.-governor Nixon. (signed) *H. Caines.*

(No. 12.)

Sir, Basseterre, St. Christopher's, 4 August 1834.

I VERY much regret the necessity I am under of communicating to your Excellency the state of insubordination of the apprenticed labourers on a property called Conoly's, under my direction.

I waited upon the Lieut.-governor this morning, and he has requested me to lay the matter before you, which I now beg to do.

I this morning visited the estate for the purpose of giving the necessary directions for their labour, and found that not a single person was prepared to commence the day's work. Soon after, I discovered them in a group near the copper-holes, and inquired of them several times what they were doing there, to which they made no reply; I then ordered them to their work, which order was not obeyed. Upon which I singled out six men and three women, and directed the overseer to call over their names, to which they severally answered. The order that they should commence their work was then repeated, and, as before, disobeyed. After an interval of about 20 minutes their names were thrice called, the same order given, and the nature of their present situation explained to them, but without effect.

There being no provender for the stock, I have been under the necessity of directing the overseer to appropriate a piece of cane sprouts for that purpose. On my leaving, the whole gang, I am informed, quitted the estate.

I have, &c.

To his Excellency (signed) *Edward Hazill.*
Sir E. J. Murray MacGregor, Bart.,
&c. &c. &c.

Note.—This property is situated in the parish of Trinity, Palmetto Point.

(No. 13.)

Sir, Douglais Estate, 4 August 1834.

I BEG to inform you that the negroes on this estate and the adjoining estate (College), together amounting to 360, have refused to obey my orders, or to do any work.

I have, &c.

To his Excellency the Governor. *Thomas Whitford*, Manager.

(No. 14.)

Stapleton's, 4 August 1834.

Mr. Davy, the manager of the estates called Stapleton's and Parry's, takes leave respectfully to report to his Excellency the Governor that this morning he summoned the negroes on their respective estates to turn out, and that they most peremptorily refused to do so, declaring that they would submit to any punishment rather than perform their accustomed work without wages, and that last evening one of the gang declared to Mr. MacKurzir, the overseer, that they would prefer being shot to working without pay. This expression Mr. Davy has considered necessary to make known to your Excellency.

To his Excellency
Sir Evan Murray MacGregor, Governor.

(No. 15.)

Sir, St. Christopher's, 4 August 1834.

I take the liberty of addressing your Excellency as a proprietor in this Island, and have the honour to inform you that the apprenticed labourers attached to the Mardenbrough's estate (Monkey Hill) have refused to work, thereby bidding defiance to the Act of the Imperial Parliament for the Abolition of Slavery. I beg leave to state that these apprentices have had three days to themselves, and that the cattle and other stock must inevitably perish unless immediate and proper measures be adopted to compel them to labour.

I have, &c.
(signed) *Chas. Mardenbrough.*

(No. 16.)

Basseterre, 4 August 1834.

Mr. Denning, manager of the Lucas estate, begs most respectfully to inform his Excellency the Governor that he summoned the apprenticed labourers to go on with their respective duties, which they most peremptorily refused to do, stating that they will not work without wages.

To his Excellency Sir Evan J. Murray MacGregor, Bart.
&c. &c. &c.

(No. 17.)

Sir, Basseterre, 4 August 1834.

I have the honour to inform your Excellency that from accounts just received from my manager at the Godwin estate, I learn that none of the apprenticed labourers attached to that property (in number about 220) have turned out to work.

I need not state to your Excellency that the cattle and other stock belonging to the estate, after having been neglected for three days, must suffer greatly.

To his Excellency
E. J. Murray MacGregor, Bart., Governor,
&c. &c. &c.

I have, &c.
(signed) —— *Edwin.*

(No. 18.)

Sir, Mathews' Estate, Cayon, 4 p. m. 6 August 1834.

I have to inform your Excellency that some of the largest estates in this parish and Nicholas Town are still in a very unsettled state. On five or six of the largest, there is not a single apprentice at work. Grange, Woodley's and Bourgeaux are very obstinate; on these three estates there are nearly 800 people, and all in a riotous way. Bourgeaux are nearly all gone to the mountains. I have taken about 50 of the ringleaders, and I should be obliged if your Excellency will give me instructions what to do with these people. They have behaved so bad in many cases, that I think they deserve that punishment which I have not the means of ordering. We have no place of imprisonment in this part of the Island.

To his Excellency
Sir Evan J. M. MacGregor, Governor.

I have, &c.
(signed) *William Wilson.*

(No. 19.)

Sir, 5 August 1834.

I have the honour to inform you that I have visited the estate called Gillies Paynis, where, after the most turbulent and rebellious resistance to the law, I succeeded in securing some of those pointed out as ringleaders. The mob consisted mostly of women and children, few men making their appearance. The manager of the above estate has just informed me that since I returned from the estate, the rest of the negroes have brought into the yard their hoes, and left them there.

His Excellency the Captain General.

I have, &c.
(signed) *G. H. W. Fahie.*

(No. 20.)

Sir, 5 August 1834.

Immediately on the receipt of your Despatch of yesterday's date I repaired to the estate called Blake's, and, after much trouble and disturbance, succeeded in securing some of the refractory apprentices pointed out to us as ringleaders. I caused to be inflicted corporal punishment on one, and the others to be put into confinement, with the intention of bringing them up to-day for further punishment, it being then nearly dark.

I ordered the crowd of apprentices to disperse quietly to their houses, and to turn out to work in the morning. They did disperse, but I am very sorry to say the example I made has had no effect, and they refuse to work according to law. The district I understand remains in the same disturbed state it was in yesterday. I am about to proceed to another estate for the purpose of obeying your orders.

I have, &c.

To his Excellency the Captain General, (signed) *G. H. W. Fahie.*
&c. &c.

(No. 21.)

Sir, Old Road, 5 August 1834.

I beg leave to state, for your Excellency's information, that I ordered out the auxiliary constables at seven o'clock this morning. They proceeded, in charge of the policemen and ordinary constables, to an estate in this neighbourhood, called Hutchinson's, and brought the gang of the estate before me. The director of the estate was in attendance, who selected 10 individuals, who he had reason to believe were the ringleaders; on being questioned, they could give no satisfactory reason why they had not turned out to their duty yesterday morning, and by way of example, I thought proper to order these individuals to receive 50 lashes each, and three women were ordered into confinement. This I expected would have a salutary effect, but, on the contrary, I have been informed that they still continue refractory. Referring your Excellency to the enclosed note from the director of the estate,

I have, &c.

To his Excellency (signed) *Wat. Williamson.*
Sir E. J. Murray MacGregor, Governor,
&c. &c.

(No. 22.)

My dear Sir, 5 August 1834.

The Hutchinson's gang have all cut off their hoes and brought them to the door of the dwelling, and threw them down before me; the driver and my son being present and witnessed the same.

I am, &c.

Walter Williamson, Esq. Special Magistrate. (signed) *C. Pickering.*

(No. 23.)

Sir, Mathews' Estate, Cayon, 5 August 1834.

We beg to report, for your Excellency's information, that several of the negroes belonging to this estate have been taken into custody by the grenadier company stationed on the said estate, some of them for contumaciously refusing to work while in the field this morning with the gang, others for coming late to their work, some having been taken in the negro houses, and some for insolence, &c. &c.

As it appears to us of the utmost importance that a thorough and summary example ought to be made of these in order to instil fear into the others, without which all exertions that have already been made will most likely be attended with little benefit to the community, we beg to know from your Excellency to what extent we are authorized in such circumstances to inflict punishment. We beg most respectfully to suggest to your Excellency the necessity of establishing a system under which a severe example may be made on the spot of these negroes that have been taken into custody, as we are thoroughly convinced that nothing short of such a measure will save the Colony from ruin. A set of handcuffs and cats-of-nine-tails from any of the vessels of war will be required here.

We have, &c.

To his Excellency (signed) *W. Wilson*, J. P.
Sir E. J. Murray MacGregor, Governor, *John Crawford*, J. P.
&c. &c. &c.

(No. 24.)

5 August 1834.

I, John Dawson, manager of Will's estates, in the parish of Palmetto Point, belonging to Henry Boon, esquire, do report that the apprenticed labourers have not turned out to their work up to this morning.

(signed) *John Dawson.*

To his Excellency Sir E. J. Murray MacGregor,
&c. &c.

(No. 25.)

Sir, Mathews', 5 August 1834.

I BEG leave to inform your Excellency, that while on duty here with the grenadier company, I have learnt that the Golden Rock labourers, in the parish of St. Pierre, Basseterre, under my directions, have refused to do their work on that estate.

I have, &c.

To his Excellency (signed) *William Bond.*
Sir E. J. Murray MacGregor, Governor.

(No. 26.)

Sir, Lodge Estate, 5 August 1834.

I HAVE to inform you that the negroes in the Nicholas Town parish and part of Cayon evince a very refractory spirit. Some of the ringleaders of both sexes are secured by being tied, and others are in confinement, under the guard of the entire of the 7th company, which, I wish to impress on the mind of your Excellency, is very small, having been much reduced by nine of the men receiving the appointment of police constables. My brother officers as well as myself consider that the most prompt measures are necessary to put down this state of insubordination, and secure the safety of the district. Unless this is immediately done I cannot answer for the consequences. I have further to state that Burragan's gang are still out, and on seeing the auxiliary constables advance a signal was given by one of the party placed on an eminence, when all fled to the mountains. This agrees with the information I gave your Excellency at my last interview of their intentions to set fire to buildings and canes and fly to the mountains, the former of which, in my opinion, has been prevented only by the heavy rains which fell during the last three days.

I have, &c.

(signed) *Adam Stevens,* Lieut. in Command.
His Excellency the Governor-general.

The number of males who are tied is eight, of females a similar number; there are 11 males and 10 females who are in confinement in the sick-house on this estate.

(No. 27.)

Sir, Lodge Estate, 6 August 1834, 12 o'clock.

I HAVE to inform your Excellency that the negroes of Greenhill, White's and Burragan's, have retired to the mountains. Those of Molineux and Phillip's estates have all absconded since nine o'clock, and in all probability have gone to the mountains; also Woodley's estate negroes have not yet been at work, and declare that they will resist any police force that may be sent to take them. The Mansion estate negroes have taken their hoes, but yesterday again threw them up, stating that they would not work unless they were paid wages. Two or three only are at work this morning.

Mr. Wilson of Greenhill informed me this morning that in searching the lock-up room on that estate, in which refractory negroes are confined, he found three pieces of touchwood, bound up and dipped in tar.

I have, &c.

(signed) *Adam Stevens,* Lieut. Commander No. 7 Company.
His Excellency the Governor-general, &c.

(No. 28.)

Sir, Mathews', Cayon, half-past eight A. M., 6 August 1834.

I HAVE to inform your Excellency that several of the estates in this parish and Nicholas Town that were at work yesterday have this morning struck work, and gone to the mountains.

I have, &c.

His Excellency the Governor-general. (signed) *W. Wilson,* J. P.

(No. 29.)

Sir, D. Bay, 6 August 1834.

WE beg leave to represent to your Excellency the state of this part of the country, which is truly deplorable. Our negroe-houses abandoned; the cattle not only without people to attend them, but left to starve in the pens without food or water, must shortly perish. Tillage has entirely ceased. All steps taken by the civil authorities to induce or force the apprentices to work have entirely failed, and unless some prompt and effectual measures are resorted to the entire destruction of our properties must shortly ensue.

We have, &c.

(signed) *H. Caines.* *Edward Osborn.*
J. Caines. *Robert Armstrong.*
A. D. French. *W. A. Henry.*
To his Excellency *Charles C. Bryan.* *John M. Evans.*
Sir E. J. Murray MacGregor, Governor. *J. E. Badger.*

ST. CHRISTOPHER.

(No. 30.)

Sir, Mathews' Estate, Cayon, 6 August 1834, half-past six o'clock, A. M.

I BEG leave to intimate to you that I am on duty here, and having the command of Fountain estate, in the parish of St. Peter. I also take the liberty of informing you, that from the latest accounts I had from that quarter, two o'clock P. M. yesterday, the negroes had not turned out, nor indicated any willingness to do so.

I am, &c.,

His Excellency the Governor-general. (signed) *John Ferry.*

(No. 31.)

Sir, Stonefort Estate, 7 August 1834.

IN acknowledging the receipt of your letter of this day's date, I have to acquaint you, for his Excellency the Lieutenant-governor's information, that his orders relative to the signal-post here have been observed, and also that the negroes belonging to this estate are, to appearance, quietly disposed. But if my candid opinion were required on that head, I should say that some secret understanding exists between those negroes who have entirely absented themselves and those who remain on their estates, and also, from several incidents which have occurred within my knowledge, that some plot has been planning for the subversion of His Majesty's laws in this Colony, long prior to the 1st of August.

With regard to the signal-posts here and elsewhere, were we at war with a foreign enemy, nothing could be more expedient than adopting and conducting them as they are at present; as it is, be assured that unless they are guarded by others than those directly interested in cutting off all intelligence with Brimstone Hill, in the event of a general insurrection, they would be perfectly useless.

I have two men here, in whom I think I can place confidence; but what are two or more people when opposed to an infuriated mob? I should, therefore, deem it expedient to appoint a certain number of regular troops, not only to protect the signal-posts, but also those negroes who are loyally disposed, and to awe those into obedience who might be otherwise. Of the latter, I fear, there are too many, even among those who wear a different appearance.

I have, &c.

T. Light Philip.

(True copies.)

E. J. Murray MacGregor, Governor.

Enclosure (C.)

EXTRACT from the Antigua Herald and Gazette, Saturday, 27 Dec. 1834.

Enclosure (C.)

"THANKS to the Governor, we have at last seen a Christmas pass without the nuisance of a civic guard. His Excellency himself expressed his conviction of the absence of all necessity for the proclamation of martial law. All who would have been harnessed for the duty are much obliged for his consideration, and the event has proved the soundness of his judgment."

Enclosure (D.)

(No. 1.)

Sir, Tortola, 6 December 1834.

Enclosure (D.)

I HAD the honour to receive your Excellency's Despatch, dated the 29th November 1834, and have to inform your Excellency that no doubt whatever remains on my mind of the effect which the prompt and decisive measures adopted to check the late disturbances at St. Christopher's, and to restore the working classes of that Island to a proper degree of subordination, had on the same description of persons in this and the other Virgin Islands, in preventing their resorting to conduct of a similar nature, which by sundry reports made to me, very shortly previous to the 1st of August, was strongly indicated to be in contemplation.

To his Excellency

Sir E. J. Murray MacGregor, Bart., Governor.

&c. &c. &c

I have, &c.

(signed) *W. Rogers Isaacs,*

President.

(No. 2.)

Sir, Nevis, Government House, 10 Dec. 1834.

I HAVE the honour to acknowledge the receipt of a communication from your Excellency, dated the 29th ultimo, in which you make a reference to an extract, thereto annexed, of a Despatch from the Right Honourable the Colonial Secretary of State, and to a previous Despatch from me of the 13th of August, and request me to state my opinion as to the probable

bable consequences of the disaffection which prevailed among the labouring population of this Island, in the early part of that month, if the disturbance in St. Christopher's, instead of being treated as an extreme case, and rapidly subdued by military means, had been left, as in any ordinary instance of insubordination or refusal to work, to the operation of civil law.

The consequences of this disaffection, under the alternative which your Excellency offers as a supposition, I should have expected to be, the suspension of continuous and efficient labour for an indefinite period of time; the accumulation of the idle-disposed apprentices in large bodies; the occurrence of plunder, from their want of food, and of violence, if resistance were offered; the perpetration of mischief, from that wantonness which in the ignorant follows the sudden and entire relaxation of a previous strict discipline; and, finally, a total disorganization of society.

These consequences I consider were to have been anticipated; first, because the causes of disaffection were not partial, arising from the conduct of individuals, but general, originating in the distrust felt by the apprenticed labourers as to any exposition of their new condition afforded by their masters, and in their dissatisfaction and discontent with the provisions of the law when faithfully laid before them; secondly, because the working class were in a state of highly excited feeling, dependent on the discussion of their political state, and on their having obtained a boon, long hoped for, and respecting which they had frequently suffered disappointment; and, thirdly, because, in my judgment, the apprentices suspected the inadequacy of the resources of the new system to meet the difficulties which would be produced by a general defection on their part from their duty.

That your Excellency's measures in St. Christopher's prevented the occurrence in Nevis of the consequences I have specified, I am, after a full and careful revision of the circumstances of that period, thoroughly satisfied.

Upon the receipt of your Excellency's Despatch of the 8th of August, in reply to mine of the 7th of the same month, information was generally circulated that unless the appearance of affairs should improve previous to Monday the 11th, martial law would then be resorted to as a remedy. On that day every indication which could excite apprehension had disappeared, and the labourers, without any exception, had returned to their duty.

To his Excellency
Sir E. J. Murray MacGregor, Bart.
&c. &c. &c.

I have, &c.
(signed) *Josiah Webbe Maynard,*
President.

(No. 3.)

Sir, Montserrat, 15 Dec. 1834.

In reply to your Excellency's letter of 29th November, with paragraphs of a letter from the Right Honourable the Secretary of State, I beg leave to inform you that, in my opinion, without the aid of the military the disturbance in August could not have been suppressed. We were at that period destitute of a police, a militia newly raised, mostly young men, armed with a musket and fixed bayonet, without scabbards, belts or accoutrements of any kind, and which as yet have not been received from Barbadoes. I therefore conceived that it would have been highly imprudent in me to depend solely upon them, lest any unfortunate occurrence should take place (their feelings being considerably excited as well as the labourers') that might open a fire, that might be attended with great loss of life amongst those deluded fellow-creatures.

I therefore deemed it most prudent to place the whole detachment under Captain De Lacy of the 36th regiment, with the view of overawing them and reducing them to obedience, which was happily effected.

In the subsequent continuance of good order we are, in my opinion, largely indebted to the decisive measures adopted by your Excellency in St. Kitt's. The summary punishment of transportation to Bermuda, inflicted on some of the offenders, created a great sensation amongst our labourers.

But for the military measures enforced by your Excellency at St. Christopher's, and simultaneously by me in Montserrat, and had the disturbances in both Islands been left alone to the civil power, I am of opinion the result would have been most disastrous.

I am decidedly of opinion, as there then was an open dissatisfaction, so there has been since, and is now, a latent spark of discontent amongst the apprenticed labourers, which I attribute to our vicinity and constant intercourse with Antigua; several of the apprentices having asked me if I did not consider them as good as the negroes in Antigua, and as fit for freedom, and why they were not so.

I have, &c.
His Excellency (signed) *Henry Hamilton,*
Sir E. J. Murray MacGregor, Bart., Governor, &c. President.

(No. 4.)

Sir, St. John's, Antigua, 2 December 1834.

I have to acknowledge your Excellency's communication of the 29th ult., wherein your Excellency is pleased to call upon me to state whether, in my estimation, "the conduct of the working classes in Dominica would have been in any degree affected by the proceedings

ST. CHRISTOPHER.

in St. Christopher's, had the disturbance in that Colony, instead of being treated as an extreme case, and rapidly subdued by military means, been left, as in ordinary instances of insubordination or refusal to work, to the operation of the civil law." In reply to which, I beg leave to mention, that in consequence of the astonishing rapidity with which intelligence reached Dominica, through Guadeloupe, reports were current at a very early period of the evil disposition which manifested itself at St. Kitt's. This caused me to watch vigilantly the French estates, partly in the wild and populous quarters of Colibistrie and Colihant, &c. &c. &c., where a formidable mass of women and children, as well as men, were known to resort for the purpose of obtaining information, which circumstance prevented the necessity of then placing the detatchment of civil and military forces into situations of the most awful character at that pestilential time of the season. The negroes thus received news daily, of which advantage was immediately taken to carry into effect the desired object, the maintenance of tranquillity and return to labour, by expostulation, &c.

It is proper here to remark, that it was officially reported to me that the watchword or catch expression was, "Me free; no bind; no work," (as in St. Christopher's.) The whole mass of the people would have followed the advice of their influential women, and one old chief, who openly declared, "White man all rascal, false and lie; me know plenty for 20 years," for which he was punished on the spot; that they would have returned, as recommended by their women, had it not been for the stipendiary magistrate, the late Mr. Radford, who, with his combined force, checked and almost immediately brought things to a crisis, by seizing some culprits, and sending others by water to Roseau prison, and punishing others on the spot.

The St. Christopher's news reached the Windward, and estates most difficult of access, with an apparent organized rapidity, which was well known to have existed amongst the French negroes for a length of time. I therefore have no doubt, that had so fatal an example been permitted to linger, that consequences of a most serious nature would have resulted; and such was the opinion of the gentlemen functionaries and others, who seemed to feel a relief on my promulgating your Excellency's Despatch, anticipating a cessation of martial law, in consequence of the apprehended danger having been averted by the prompt and energetic measures adopted by your Excellency on this alarming occasion.

I therefore come to the conclusion, that had the disturbance in St. Christopher's, instead of being treated as an extreme case, and rapidly subdued by military means, been left, as in an ordinary instance of insubordination or refusal to work, to the operation of the civil law, the natural irritability of the French negroes, and the inherent volatility of their character, would in all probability have been encouraged by so dangerous an example of delay, and would have produced most lamentable results in the Island of Dominica; a country whose natural strength is such, that a handful of men in the fastnesses of the mountains could with ease maintain themselves against the utmost European military force that could possibly be brought against them at that season. The King's troops were then suffering severely, although guarded against all exposure.

I have, &c.

To his Excellency (signed) *C. M. Schomberg,*
Sir Evan J. Murray MacGregor, Bart. Lieut-governor.
&c. &c. &c.

(No. 5.)

Dominica.

Sir, Government House, Roseau, 19 December 1834.

In reply to the letter of 29th ult. (confidential) that I had the honour to receive from your Excellency, I beg leave to say, I am most decidedly of opinion that the working classes of this Island were influenced by the prompt measures adopted by your Excellency in subduing the disturbances in St. Kitt's; and I am strongly of opinion that if the matter had been left to the operation of the civil law, the effect would not have been such as it has been.

Movements in one Island are soon known in another by the labourers, and any disturbance not immediately checked in one never fails to give trouble in another.

I have, &c.

To his Excellency the Governor-in-Chief, (signed) *J. P. Lockhart,*
&c. &c. &c. President and Commander-in-Chief.

(True copies.)
E. J. Murray MacGregor, Governor.

Enclosure (E.)

No. 1.

Leeward Islands, &c.

(Confidential.)

Sir, Government House, Antigua, 27 November 1834.

Enclosure (E.)

The late resistance of the St. Christopher's apprentices to the Abolition Act being treated of at home as an ordinary case of insubordination or refusal to work, for which the civil law affords appropriate remedies, and the Right Honourable the Colonial Secretary of State entertaining doubts of the propriety of the employment of the law martial there, because, with

with this single exception, all partial disturbances or acts of insubordination which have occurred in His Majesty's West Indian Colonies have been met and suppressed by the civil power, your Excellency will, I am persuaded, readily pardon my present intrusion. ST. CHRISTOPHER.

Between the duties of the Lieutenant-governors of Demerara, Trinidad and St. Lucia, and those of your Excellency and myself, as Governors of the Windward and Leeward Islands, there appears to me a very marked disparity; the arrangements to be conducted by them being of a less complicated nature, because, however extensive their jurisdiction, the measures they have to pursue are generally applicable but to one theatre of action.

With us the case is different, and, owing to our respectively governing several Islands, each with a separate internal administration, our position is rendered much more critical in the event of any disaffection pervading the negro population of the whole.

Your Excellency is aware of the pressing calls of the authorities in St. Christopher's for aid; that the force at your own immediate disposal was fully occupied; that the demands of Antigua prevented me from removing more than one company from this garrison to Basseterre; and that for its conveyance thither, I was indebted to the accidental presence of the Belvidera at Barbadoes, and to your Excellency's kindness in communicating with Capt. Strong.

The mass of the apprenticed labourers soon afterwards withdrew from the estates to which they were by law attached, and, covered by woods, congregated in the mountains of the interior, where no chain of military posts could hem them in, and whence they could emerge in any numbers, at any time, and towards any quarter or quarters they might have thought proper, augmenting not only their powers of devastation, if tempted by hunger, the suggestions of their ringleaders, or by my supineness, to descend into the lower grounds, but the difficulty of the troops in overtaking them, as the arena expanded towards the circumference of the Island.

The minds of the working classes in the Virgin Islands, Nevis and Montserrat were unsettled, and any hesitation evinced by me in St. Christopher's would have prolonged the double risk of encouragement to the insubordinate negroes there being afforded by corresponding proceedings of their fellows in the adjacent Colonies, or of inciting the last-mentioned parties to pursue in emulating the resistance of the former.

I may have erred in deeming this an extreme case; but as your Excellency enjoys better opportunities of acquaintance with transactions in the other Colonies, may I take the liberty of requesting to be informed whether any disturbance of the like nature, equally serious, and involving equally important consequences in its issue, as that subdued in St. Christopher's, has been put down by the civil power alone in any of the Islands under your Excellency's superintendence as Governor-in-Chief, or within the still wider range of your military command.

I have, &c.
(signed) *E. J. Murray MacGregor,*
Governor.

To his Excellency
Major-general Sir Lionel Smith, K. C. B.
Governor and Commander-in-Chief of the Forces,
&c. &c. &c.

(No. 2.)

(Confidential.)

Sir, Barbadoes, 16 December 1834.

I HAVE had the honour to receive your Excellency's confidential letter of the 27th ult., detailing the considerations which led to the late proclamation of the law martial at St. Christopher's, and requesting I would inform you whether there were any similar instances of insubordination among the apprentices in any of the Islands of this Government, or in any of the military stations of the command, and how such occurrences were dealt with, consequent upon the abolition of slavery.

In this Island, where we have upwards of 82,000 apprentices, scarcely any change in their temper, conduct or habits was to be perceived; but a great deal of ignorance and misconception was removed by my personal explanations, through intelligent individuals, selected from every estate, the smallness of the Island giving great facilities for such communication.

Had there been the least insubordination, I should have, no doubt, been hard pressed by the local authorities to declare martial law; and indeed none of the Legislative Slave Colonies, that I know of, have had civil laws or police establishments for the government of the negro population, slave-owners having possessed arbitrary power, under local codes, over their own slaves, and the military therefore have been invariably resorted to, to put down disturbances; and as long as the militia are not let loose upon the negroes in this state, I am of opinion the employment of troops of the line among such population will, for a long time to come, be found the most merciful and prompt, because soldiers have no prejudices against them, and meet such helpless enemies with forbearance and compassion.

The only instance, even of partial disturbance, in the Windward Government was at Grenada. There the negroes of one or two contiguous estates declared against apprenticeship, and that they would not work. The magistrates well knowing their own inefficiency, immediately called for military aid, and a company of the 1st West Indian regiment seized the principals and restored order. Had this been neglected, or slowly executed, depending on the civil authorities waiting for actual mischief to warrant the call for troops, as in countries where all the inhabitants are protected by similar or equal laws, a combination, presuming on the weakness or fears of Government, would have spread over the Island, and created general resistance.

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From Trinidad I was called upon for more troops. The negroes, in a state of ignorance, deserted the estates, and fled to the capital, but I never heard that they committed violence; and the Lieutenant-governor soon found himself strong enough to maintain the laws with the means he had.

In Demerara the Lieutenant-governor, a military officer, reported the movement and use of these companies of the line to put down a combination of negroes.

There is every reason to believe that this bad spirit was not general in these Colonies, and the two latter being Crown Colonies, it is very likely the civil authorities had more strength than in those Colonies which maintained no police establishments on a scale to control the negro population in a general state of resistance. Where such was the case, I should be of opinion military law was unavoidable; and as long as such law did not trench upon the rights and liberties of the whites, even its powers and punishments would be found comparatively mild to the laws under which the unfortunate negroes had previously existed.

I have, &c.

His Excellency Sir Evan Murray MacGregor, Bart. &c. &c. &c.

(signed) *Lionel Smith.*

(True copies.)

E. J. Murray MacGregor, Governor.

— No. 217. —

Copy of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *E. J. Murray MacGregor.*

Sir, Colonial Office, 13 March 1835.

No. 217. I HAVE received your Despatch dated the 1st January last, explanatory of the circumstances and motives by which you were induced to proclaim martial law in the Island of St. Christopher on the 6th of August last.

You appear to understand the Despatch in which my immediate predecessor in office called for this information as intimating some prepossession unfavourable to your conduct.

I cannot of course undertake to be the interpreter of Mr. Spring Rice's meaning; but as far as I have the means of forming a judgment on the question, I believe that he would disavow and deprecate any such construction of his language.

Adverting to the various documents which you have now transmitted, I am happy and prompt to acknowledge that they not only exculpate you from all blame in the transactions to which they refer, but that they prove that you were amply entitled to the grateful acknowledgments which you received from persons of every class among the inhabitants of the Colonies under your Government.

I have laid the whole of this correspondence before the King; and I perform an office very agreeable to myself in conveying to you, in obedience to His Majesty's commands, the assurance that His Majesty has been pleased to approve the measures which you adopted for the maintenance of the public peace in St. Christopher's in the month of August last, which appear to His Majesty to have been equally commendable for the enlightened humanity by which they were suggested and for the decision with which they were carried into execution.

I have, &c.

(signed) *Aberdeen.*

— No. 218. —

Copy of a DESPATCH from Governor Sir *E. J. Murray MacGregor*, Bart., to the Earl of *Aberdeen.*

My Lord, Government House, Antigua, 9 April 1835.

No. 218. THE provisions of the 17th clause of the Imperial Act for the Abolition of Slavery being variously interpreted in these Islands, and special magistrates acting on different systems, even in the same Colony, in regard to the whipping of

of female apprenticed labourers and female children of that class, I have judged it expedient to address a circular Letter, of which a copy is enclosed, to the Lieutenant-governor of St. Christopher's, and to the Presidents of Dominica, the Virgin Islands, Nevis and Montserrat respectively, and trust that my endeavours to ensure unity of action, by the adoption of the more lenient course, until your Lordship's pleasure shall be known, will be approved of. ST. CHRISTOPHER. 8 April 1835.

I have, &c.
(signed) *E. J. Murray MacGregor*, Governor.

Enclosure in No. 218.

Leeward Islands, &c.

Sir, Government House, Antigua, 8 April 1835.

Doubts as to the legality of inflicting the punishment of whipping on female apprenticed labourers and female children of that class being about to be brought to the notice of the Right Honourable the Earl of Aberdeen, I request your Excellency will be pleased to adopt such measures as may tend to suppress this practice in the Islands under your Excellency's administration, until his Lordship's instructions respecting it shall have been received. Enclosure in No. 218.

From whatever local authority an order for the application of this chastisement to females may emanate, it is obviously subject to the intervention of the Royal mercy, the exercise of which is delegated to your Excellency.

I have, &c.
(signed) *E. J. Murray MacGregor.*

To his Excellency
The Lieutenant-governor of St. Christopher's,
&c. &c. &c.
and their Honours
The Presidents of Dominica, the Virgin Islands,
Nevis and Montserrat respectively.

— No. 219. —

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray MacGregor*, Bart.

Sir, Downing-street, 15 June 1835.

I have received your Despatch of the 9th of April last, representing that the provisions of the 17th clause of the Imperial Act for the Abolition of Slavery have been variously interpreted in the various Islands under your government, and that the special magistrates act on different systems, even in the same Colony, in regard to the whipping of female apprenticed labourers and female children of that class. No. 219.

In the absence of any explanation of the nature or grounds of this doubt, I can only state that it appears to me that the words of the Act of Parliament distinctly and unequivocally forbid the practice in question. The enactment is, that it shall not be lawful for any Colonial Legislature, or for His Majesty in Council, "to authorize any court, judge or justice of the peace to punish any apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person." I know not how the prohibition could be rendered more absolute or more comprehensive. As, however, doubts have been raised, I approve of the course you adopted, of directing the officers administering the Governments of St. Christopher's, Dominica, Nevis, Montserrat and the Virgin Islands to interpose their authority for the prevention of any such punishments. You will signify to them, and through them to the special magistracy of the different Islands, my entire concurrence in your interpretation of the law on this subject.

I have, &c.
(signed) *Glenelg.*

— No. 220. —

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray MacGregor*, Bart.

Sir, Downing-street, 26 July 1835.

No. 220. His Majesty's Government have had under their consideration the Acts passed by the Legislature of St. Christopher's in the month of July 1834, with a view of giving effect to the Act of Parliament for the Abolition of Slavery, of which the titles are as follow:

"An Act for the Abolition of Slavery in this Island, and for the establishment of a system of Apprenticeship for a limited time in lieu thereof."

"An Act for prescribing the Powers and Duties of Special Magistrates."

"An Act to divide Apprenticed Labourers into several Classes."

"An Act to provide for Apprenticed Labourers during the term of their Apprenticeship."

"An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers within this Island."

"An Act to prescribe the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the performance of the same."

"An Act to regulate the removal of Prædial Apprenticed Labourers from one Plantation to another, to establish certain Rules to govern the Sale of the Services of all classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the Descent of the same in cases of Intestacy."

"An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same."

"An Act to punish Apprenticed Labourers for Offences against the public welfare."

"An Act to regulate the dissolution of Apprenticeship by the voluntary act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship."

"An Act to extend to the Island of Anguilla the several Acts passed by the Island of St. Christopher, pursuant to an Act of Parliament made and passed in the 3d and 4th year of the reign of His present Majesty, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves; and for compensating the persons hitherto entitled to the Services of such Slaves;' except as hereinafter provided."

It affords me sincere gratification to observe that the Legislature of St. Christopher appear to have been actuated by the desire of fully carrying into effect the instructions of the King and the wishes of Parliament on the important subjects to which these Acts relate. It is true that they contain several variations from the model prescribed by His Majesty in Council, which I cannot consider to have been quite judicious; but, with only two exceptions, they appear to me to come within that class of topics on which some scope for difference of opinion must be allowed; and the general spirit and tenor of the Acts afford me the strongest assurance that the Legislature of St. Kitt's will readily give their attention to the suggestions I feel it my duty to make upon these points, with the view of removing the objections I entertain with respect to them.

1st. By the 7th section of the Act, prescribing the duties of special magistrates, the apprenticed labourers are made liable to summary conviction and prompt punishment, in certain cases, for perjury, although for perjuries committed on the same occasions persons entirely free could be punished only on legal conviction after a regular trial. This is an encroachment upon the general principle of legal equality in whatever respects the administration of the penal law, which though perhaps not very essential in its direct consequences, may yet not be without importance, as impairing the integrity of that general principle.

2dly. The 11th section of the Act, for regulating the conduct of the apprenticed labourers, subjects them to imprisonment, with hard labour, for absenting themselves from the service of their employers, and then requires that they shall make satisfaction to the employer, not only for the time of absence, but for

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for the time lost to him by the imprisonment. To constitute the apprentice a debtor to the extent of the injury which his endurance of the punishment of imprisonment may incidentally inflict upon his employer, appears to me unreasonable; and it is also objectionable, as giving the employer an interest in the misconduct of his apprentice.

Feeling assured that the Legislature of St. Christopher will apply themselves to remedy these defects, in the same spirit with which they have already given effect to the British Act, by the supplementary enactments which have been under my consideration, I am happy to announce to you that His Majesty's Government are of opinion that the Legislature of St. Christopher have performed the condition upon which the right of the Colony to a participation in the compensation fund has been made to depend.

I have, &c.
(signed) *Glenelg.*

—No. 221.—

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray M'Gregor*, Bart.

No. 221.

Sir, Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., declaring that adequate and satisfactory provision hath been made in the Colony of St. Christopher for giving effect to an Act of Parliament, made in the 3d & 4th year of His present Majesty, for the abolition of slavery.

Order in Council, 31 July 1835; printed in the Appendix of Part II., (B.) No. 16,

I have, &c.
(signed) *Glenelg.*

NEVIS.

NEVIS.

No. 222.

—No. 222.—

COPY of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 31st August 1833.

I HAVE the honour to enclose copies of a communication from the President of Nevis, and of joint Resolutions therewith received, relative to the extinction of Slavery, by the Council and Assembly of that Island, and of the reply which I deemed it requisite to address to the President upon this occasion, particularly in reference to the second Resolution of the Board and House.

No. 1. 22 August 1833.
No. 2. 20 August 1833.
No. 3. 31 August 1833.

I have, &c.
(signed) *E. J. Murray M'Gregor*, Governor.

Enclosures in No. 222.

Enclosures in No. 222.

No. 1.

Sir, Nevis, August 22, 1833.

WITH much gratification I have the honour to enclose to your Excellency the joint Resolutions of the Council and Assembly of this Island, for the extinction of Slavery, and in conformity to the Resolutions passed by the Imperial Parliament.

This public document of the two branches of the Legislature will, I most cordially hope, meet with the entire approbation of your Excellency, and at the same time accord with the views of the Right honourable the Secretary of State for the Colonial Department.

I have, &c.
(signed) *James Daniell*, President.

To his Excellency, Sir Evan Murray M'Gregor, Bart. &c.

NEVIS.

No. 2.

COPY of RESOLUTIONS on the subject of the ABOLITION of SLAVERY, passed by the HOUSE of ASSEMBLY, and concurred in by the Honourable Board of Council, the 20th August 1833.

Resolved, That in conformity with the wishes of Parliament, such effectual measures be adopted for the speedy Abolition of Slavery as may be consistent with a due regard to the permanent welfare of the slaves, the interests of the masters, and the general safety of the community at large.

Resolved, That it is expedient that the grant of £.20,000,000 sterling offered by the two Houses of the British Parliament towards compensation to the proprietors of slaves, for the losses they will sustain by the operation of the measures proposed by His Majesty's Government be accepted, though totally inadequate for the purpose of compensation; provided such grant be distributed among the proprietors of slaves at an equal sum per head for every slave throughout the Colonies.

Resolved, That to secure the tranquillity of this Colony, and to obviate the dangers and evils which a sudden change in the condition of the labouring population will produce, it is indispensably necessary to maintain an active and powerful system of police. And this House receives with gratitude the announcement of His Majesty's gracious intention to defray the expenses incidental to such an establishment, and to provide, upon liberal and comprehensive principles, for the religious and moral instruction of the emancipated population.

No. 3.

Government House, Antigua,
Sir, 31st August 1833.

YOUR Honour's Letter of the 22d instant, together with the joint Resolutions of the Council and Assembly of Nevis, for the extinction of Slavery, will be duly conveyed to the Right honourable the Secretary of State for the Colonial Department.

So many conflicting interests of various Colonies press simultaneously upon the attention of His Majesty's Government and of Parliament, that modifications are to be looked for during the progress through the Houses of Lords and Commons, of those measures which the King's Ministers may propose, as in their estimation the best adapted for promoting the general interests of the Colonists at large.

This consideration induces me, although with the greatest deference, rather to doubt the expediency of the second Resolution, passed by the Legislature of the Island under your administration, if it is actually intended to imply that a share of the £.20,000,000 sterling, offered by the British Parliament, in compensation for the value of slaves, is positively declined by the proprietors in Nevis, unless the grant be distributed "at an equal sum per head for every slave throughout the Colonies."

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

To his Honour the President of Nevis, &c.

No. 223.

— No. 223. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 17th October 1833.

I HAVE received your Despatch of the 31st August, enclosing copies of a Correspondence which had passed between the President of Nevis and yourself; and have to convey to you my approval of your communication to that officer in reference to the second Resolution of the House of Assembly.

I have, &c.

(signed) *E. G. Stanley.*

No. 224.

— No. 224. —

EXTRACT of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart. to Mr. Secretary *Stanley*, dated Government House, Antigua, 1st February 1834.

I HAVE the honour of requesting your commands upon the accompanying Act, passed by the Legislature of Nevis, "To provide for the maintenance, protection and good government of apprenticed Labourers, and to settle the jurisdiction and authority of special Magistrates."

Vide Despatch, 31 July, page 123.

—No. 225.— No. 225.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 6 June 1834.

I HAVE to acknowledge the receipt of your Despatch of the 1st February last, transmitting the Bill passed by the Legislature of Nevis for the maintenance of apprenticed Labourers and to settle the jurisdiction of the special Magistrates; and I have to inform you, that in consequence of this Bill not having received your assent or that of the President of Nevis, His Majesty is precluded from pronouncing any opinion upon it. It is a subject of considerable regret to me that this Bill should have been sent home in such a form; but in order to obviate the serious inconvenience which would result to the Island by the Bill not coming into operation on the 1st August next, I have received the King's commands to inform you that if the House of Assembly of Nevis be still in Session, and the usages of the Colony permit it, the required assent should be given by the officer administering the Government. If, on the other hand, the Session shall have been closed, I am to desire that immediate steps may be taken to convene the Legislature, who must be invited to re-enact the Bill, to which, when so re-enacted, Mr. President Daniell will give his assent.

I have, &c.

(signed) *T. Spring Rice.*

—No. 226.— No. 226.

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to the President of Nevis.

Sir, Downing-street, 6 June 1834.

I AM directed by Mr. Secretary Spring Rice to transmit to you, for your information and guidance, and lest any unforeseen circumstance should prevent Sir E. J. Murray M'Gregor from communicating with you, the copy of a Despatch which has been addressed to Sir M. M'Gregor on the subject of the assent to be given to the Bill connected with the abolition of Slavery which had passed the Legislature of Nevis.

I am, &c.

(signed) *John Lefevre.*

—No. 227.— No. 227.

COPY of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice.*

Sir, Nevis, 31 July 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of the 6th June 1834, and have the honour to transmit to you herewith an Act passed by the Legislature of the Island of Nevis, "To provide for the maintenance, protection and good government of apprenticed Labourers, and to settle the jurisdiction and authority of special Magistrates," the same having now received the assent of Mr. President Daniell.

Act printed in Appendix (B.) No. 35.

I beg also to enclose an Act passed by the Legislature of that Colony, intituled, "An Act to establish a Local Constabulary Force on the several Plantations in this Island."

Ditto, (B.) No. 36.

I have, &c.

(signed) *E. J. Murray M'Gregor,*
Governor.

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No. 228.

—No. 228.—

EXTRACT of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice*, dated Nevis, 1 August 1834.

LANDING here yesterday morning, my proceedings with the Legislature are contained in the Enclosures Nos. 1, 2 and 3. The House of Assembly of Nevis complain of the non-arrival of the stipendiary Magistrate selected by the Crown.

1 August 1834.

Vide page 46.

The labourers in this place being reported equally submissive with those in Montserrat, my observations with respect to the working classes of Tortola are applicable, generally speaking, to the others also.

Enclosures in No. 228.

Enclosures in No. 228.

No. 1.

Mr. President, and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

ALTHOUGH it was my intention, as early as the arrangements of the respective Colonies consequent on the important event of emancipation might properly admit of my absence from Antigua, to have visited the several Legislatures of the other Islands in this Government, it is not without the most serious regret that I now experience the necessity of trespassing on your attention at an unusual season, owing to the refractory disposition displayed by certain evil-minded Negroes in an adjacent possession of the Crown.

The King having announced the determination to enforce obedience to lawful authority, it is impracticable to foresee what ruinous results these infatuated people may entail upon themselves; and therefore most pleasing to me to ascertain, that by the preservation of peace and order the labourers of Nevis judiciously cultivate the good opinion and favourable report of their employers, and thereby dutifully seek to be further recommended to the paternal care of our most Gracious Sovereign.

Mr. Speaker, and Gentlemen of the Assembly,

The liberality of your Honourable House fully warrants the expectation that on your part nothing will be left undone to foster the present laudable sentiments of the working classes, and to shield the internal tranquillity of the Colony from interruption.

Mr. President, and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

The real interests of the various orders of inhabitants being indissolubly blended, it is impossible, when assembled together on an auspicious occasion, to be ever memorable in West Indian history, not to hail with exultation that happy alteration in the fabric of Colonial society this day fortunately achieved through the enlightened benevolence and energy of the King's Councils.

At the same time that thousands of our fellow creatures and their descendants yet unborn are permanently exonerated from bondage, the higher ranks of the community are relieved from the inconvenience of waging a harassing and hopeless contest against those of the parent State, and the prosperity of these Colonies, unembarrassed by any intervening shade of distinction, is henceforward identified with that of the rest of His Majesty's dominions.

The King's loyal and faithful subjects of Nevis, diligently and quietly pursuing their avocations under the new system opening with this cheering prospect, may lean on the protection of the officers entrusted by His Majesty with the administration of civil affairs and with the command of the royal naval and military forces, who are prepared to concur with and support your Honourable Board and House, if requisite, in repressing and punishing any infraction of the laws.

Nevis, August 1, 1834. (signed) *E. J. Murray M'Gregor*, Governor.

No. 2.

To His Excellency Sir *Evan J. Murray M'Gregor*, Bart.
&c. &c. &c.

May it please your Excellency,

WHILE we regret that untoward circumstances in a neighbouring possession of the Crown have rendered it necessary for your Excellency to be absent from Antigua at an unusual season, we cannot at the same time refrain from expressing our grateful acknowledgments for those prompt and decisive measures you have adopted in order to provide for the safety of every Colony under your Government.

We feel happy that the conduct of the labouring population of this Island is such as to deserve the good opinion and favourable report of their employers, and further, to recommend them to the paternal care of our most Gracious Sovereign.

We receive with gratitude your Excellency's assurance, that in the critical circumstances in which we are placed, we may rely with confidence on the protection of the officers entrusted by His Majesty with the administration of civil affairs and with the command of the royal naval and military forces.

Nevis, Council Chamber, August 1, 1834. (signed) *James Daniell.*

No. 3.

To His Excellency Sir *Evan J. Murray M'Gregor*, Bart.,
&c. &c. &c.

May it please your Excellency,

With sentiments of cordial sincerity, we, the Members of the House of Assembly in this Island, beg leave to offer to your Excellency our congratulations on your presence in this Island at the commencement of an era productive of the most important changes in the civil state of society in His Majesty's West India possessions; and our satisfaction on this occasion is much increased by the general state of tranquillity which we have hitherto enjoyed, and from our well-grounded expectations that good order and obedience to the laws will continue to be observed by all classes of this community.

We are happy in assuring your Excellency, that the labourers of this Island, with some few exceptions, are dutiful and obedient, and all of them are impressed with lively sentiments of loyalty and gratitude to our most Gracious Sovereign for the blessed gift of freedom which this day they enjoy; and if any dissatisfaction, arising from misconception or ignorance, may have been partially manifested on some few occasions, such feeling we have good reason to believe is now removed by the care which has been diligently taken in explaining to the labourers the real nature of the benefits which they will now continue to enjoy, and of the salutary restrictions which for a season are imposed upon them.

It has been a subject of much regret and disappointment to the inhabitants of this Colony that the officer entrusted by His Majesty with the special jurisdiction incidental to the new state of society has not arrived to assume his functions. In the labouring class the absence of this magistrate may create distrust, in the other classes much embarrassment, and in all considerable difficulty, from the want of a competent authority to administer justice. We earnestly trust that your Excellency will take the most efficient means to procure a speedy remedy for this untoward circumstance.

In the exalted sentiments of exultation with which the hearts of the enlightened and benevolent in the Mother Country will be filled by the events of this day, we sincerely and fully participate. Slavery now belongs only to history. In the annals of the world no parallel transition from bondage to freedom can be found by which at once was removed the accumulated mass of evil which an age had built up; and relying on the beneficent protection and care of our gracious King, we look forward with confidence to the cheering prospect which the unimpeded exertion of the labourer and the more prosperous condition of the higher classes will soon we trust afford.

Assembly Room, August 1, 1834. (signed) *George Webbe*, Speaker.

— No. 229. —

No. 229.

Extract of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, to Mr. Secretary *Spring Rice*, dated St. Christopher's, 15 August 1834.

I transmit to you herewith copy of a Letter from the President of Nevis, whence it may be gratifying to you to collect that public tranquillity is likely to remain uninterrupted in this Island.

13 August 1834.

Enclosure in No. 229.

Enclosure in No. 229.

Copy of a LETTER from President *Maynard* to Sir *E. J. Murray M'Gregor*, Bart.

Sir, Government House, Nevis, 13 August 1834.

I have the honour to acknowledge the receipt of your Excellency's communication, dated the 11th of August, conveying the gratifying intelligence that an improvement in the conduct of the labouring classes of St. Christopher's had taken place.

I beg to congratulate your Excellency on this happy result of your visit to that Colony, and to express my conviction that the tranquillity and good order which in this Island have succeeded, without the intervention of martial law, to a state of great disaffection, are mainly attributable to the prompt and energetic measures adopted by you in the neighbouring scene of disturbance

I have, &c.

(signed) *Josiah W. Maynard*, President.

NEVIS.

No. 230.

—No. 230.—

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray M'Gregor*, Bart., dated Downing-street, 16October 1834.

I ACKNOWLEDGE the receipt of your Despatch of the 15th of August, and its Enclosure.

It is very satisfactory to me to learn, that tranquillity and order have been maintained at Nevis and Montserrat, without the fearful necessity of resorting to martial law; and that this result is attributed by the President of Nevis to the prompt and energetic measures taken by you. This cordiality and good feeling between you and those who are subject to your authority, will assure to all parties the best success in the performance of their respective functions, and in this instance is fully due to you for the zeal which you have manifested in quitting your immediate seat of Government, and in resorting to those Islands where your services were peculiarly necessary.

No. 231.

— No. 231. —

COPY of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to the Right Honourable the Secretary of State for the Colonial Department.

Sir, Government House, Antigua, 16 January 1835.

I DO myself the honour of transmitting to you the enclosed copy of a Letter from Mr. Daniell, the President of Nevis, on the subject of your circular Despatch, dated 30th September 1834, in reference to the probable consequences of the great change in the condition of the Negro population of His Majesty's Colonies, on the system of cultivating lands, and on the general pursuits of industry.

12 January 1835.

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

Enclosure in No. 231.

Enclosure in No. 231.

Sir, Government House, 12 January 1835.

I HAVE the honour to acknowledge to your Excellency the receipt from the Right honourable the Secretary of State for the Colonies, of a circular Despatch, dated the 30th September 1834, in which is requested the communication of local experience and opinions, as to the effects which free labour, and the apprenticeship of the Negroes, are likely to produce upon the pursuits of profitable industry; it therefore becomes my duty to offer to your Excellency the following observations:—

A landed proprietor in Nevis, as in most of the West Indian islands, is at the same time an agriculturalist and a manufacturer. In the former character he raises, by a difficult and uncertain system of cultivation, the sugar-cane, various vegetables used as food, and some which minister to luxury; in the latter he produces, by processes more or less laborious and complicated, sugar, molasses and rum.

Of these substances, so generally used for domestic purposes, some quantity is of course consumed within the Colony; but the great bulk is exported to the United Kingdom, to the British North American possessions, and to the United States.

The sweet potatoe, the Angola pea, the banana, the yam, and the Indian and Guinea corn, are cultivated to some extent, entirely for internal consumption, and principally as food for the labouring class, who are, however, mainly dependent on importation for the articles of their sustenance. The plant which yields the arrow-root, and those fruits which are preserved in the form of sweetmeats, are slightly attended to, and small quantities are exported.

It may be presumed that a West Indian estate, when disencumbered of the weight of supporting, through all seasons, whether productive or otherwise, the same number of labourers, will be wielded with more facility as an instrument of production. When the soil is separated from its cultivations it will be purchased for less money, and will consequently be more easily acquired for the purposes of experimental agriculture. Many persons possessing the requisite skill and enterprize are at present deterred from embarking in such pursuits, by the large outlay of capital necessary at the commencement, and the annual cost of maintaining persons attached to the land.

It does not appear that it will ever be possible to effect a disunion of the agriculturalists from the manufacturer. The cane harvest must be gathered as soon as it is fit for the mill, or it rapidly depreciates in value; and it is so bulky, and when severed from the stem so soon undergoes chemical changes, as to preclude the possibility of its transmission to any distance. There are, however, various improvements connected with the culture of the cane, the manufacture of sugar, and the distillation of rum, so palpable to the least scientific knowledge

knowledge as to ensure their adoption, when an altered state of society shall render it possible to make changes in the present systems. Should the consumption of vinegar in the arts, or for domestic purposes, give rise to an increased demand for that substance in the United Kingdom, it might easily be produced, at trifling expense and of excellent quality, from cane juice, which is now converted into superfluous sugar.

As far as the lessons of experience have yet taught us, few favourable anticipations can be entertained as to the period during which the apprenticeship shall continue; so long will landed property hold an unnatural value, so long will the burthens of an estate remain the same, whether the seasons be adverse or propitious, so long will labour be rendered unwillingly, and the apprentice be confirmed in habits of indolence, so long will disagreement and dissatisfaction disturb the relation of master and servant, and so long will all prospects of social improvement remain unsettled and uncertain.

A great bar to the prosperity of the sugar colonies is to be found in the duty, amounting to a prohibition, levied on refined sugar imported into the United Kingdom. The process of refining is a mere extension of that by which Muscovado sugar is produced: by the adoption of a few alterations the purest sugar might be manufactured at once from the juice of the cane. The advantages of such a procedure are numerous and considerable. The rude and inartificial methods to which the cane juice is at present subjected, to bring it to the state of sugar, cannot but affect injuriously the product which is obtained. On an improved system the manufactured article would suffer no injury in its production; it would be less bulky, unalterable by the circumstances of a sea voyage, and when formed, would undergo no subsequent diminution by drainage.

The Nevis proprietor, suffering as he does under the pressure of adverse circumstances, justly considers the duty of four-and-a-half per cent., which he pays to His Majesty on all exported articles, and which is applied to purposes in which he is not interested, as a very grievous hardship. The abolition of this impost, or its application to objects connected with the Island, would be hailed by the colonists with delight, as a token of His Majesty's most gracious consideration for their distressed condition.

The fiscal regulations respecting tonnage appear to operate injuriously on commerce, as they affect trading vessels in proportion to their size, and not in proportion to the amount of intercourse which they may have with the Island.

The duties on the produce of the United States, with which communication might be more easily maintained than with the British possessions in North America, are disadvantageous to West Indies, however serviceable they may be to other colonies.

If those evils, which have been pointed out, are admitted to be really such, the remedies suggest themselves.

To remove the impediments which stand in the way of improvement in West Indian manufactures, by reducing the duty on sugar of perfect quality imported from these colonies into the United Kingdom, to abolish the four-and-a-half per cent. impost, or to apply it to insular purposes, to modify the tonnage duties, so as to affect vessels in proportion to their cargoes, and to facilitate, by an alteration of duties, the supply of such necessary articles as lumber, staves and flour, from places where they may be obtained at moderate prices and of good quality; these changes would all be the substitution of good for evil.

The establishment of an improved judicial system, the influence of which shall reach the Court of Chancery, is very desirable. It can hardly be expected that unprofessional persons should be competent to decide upon complicated legal questions; such, however, is the arrangement generally adopted at present.

The promotion of education, and of religious and moral instructions, cannot but be intimately connected with the prosperity of a community.

The further centralization of the government, by making one island the seat of the legislative, as well as of the supreme executive department, affords a reasonable prospect of advantage; such a legislature would be actuated by more general views, and, on the principle of selection, would be composed of more competent persons, than at present form the local Councils and Assemblies. The resort of a number of delegates to one point would render it of increased importance, and would greatly advance it in civilization. Mutual intercourse would put each in possession of whatever existed in the department of another worthy of being known, and on their return they would all carry back an increased stock of information for local purposes.

I have, &c.

(signed) *James Daniell,* President, adm^{s} the Government.

— No. 232. —

No. 232.

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray M'Gregor,* Bart.

Sir, Downing-street, 27th July 1835.

The two Acts passed by the Legislature of the Island of Nevis, for giving effect within that Colony to the Act of Parliament for the Abolition of Slavery, do not appear to have hitherto been made the subject of any communication to yourself: I now proceed to apprize you of the views which His Majesty's Government have taken of the provisions of those laws.

NEVIS.

On comparing the Acts of Nevis with the orders made by the King in Council for a similar purpose in reference to the Islands of Trinidad, St. Lucia and Mauritius, they appear to be not only much more compendious, but in certain important respects defective. Bearing in mind, however, the narrowness of the society of Nevis, and the consequent paucity of the resources at the command of the local Legislature, I am ready to admit, that the abbreviation of the forms of the Orders in Council, and even the omission of some of their rules, may not constitute a valid ground of objection to these Acts. I have, however, to call the attention of the Council and Assembly of the Island to the following remarks, to which the apology I have already mentioned for other departures from the model proposed to them is inapplicable.

First,—If the supply of food to the apprenticed labourers should be deficient, the complaint must be preferred within one week from the neglect. This time is manifestly too short; because the opportunity of making the complaint may often not present itself until a much later period.

Secondly,—The removal of apprenticed labourers from one plantation to another belonging to the same owner, is authorized by the 16th section of the first of these Acts, if the sanction of a single special magistrate can be obtained. But by the ninth section of the Act of Parliament, the consent in writing of two such justices at the least is declared indispensable. It is with very serious regret that I notice this direct repugnancy between the Colonial Act and the Imperial enactment. His Majesty in Council cannot, of course, confirm any law of any colony which is in positive contradiction to any part of this, or indeed of any other Act of Parliament; but an Act not so sanctioned cannot be declared by the King to be, within the terms of the 44th section, an "adequate and satisfactory provision" for giving effect to that statute. Consequently, the persons formerly entitled to the services of the emancipated slaves in Nevis have not yet acquired a right to participate in the compensation fund. It is superfluous to urge upon you and upon the legislature of the Island the most prompt attention to this subject, with a view to the necessary amendment of the enactment in question.

Thirdly,—A summary process of ejectment against apprenticed labourers trespassing on land, is given by the 23d section. It will be necessary that some time (probably not more than twelve months) should be fixed, after the lapse of which the possessory title of the apprentice should be placed beyond the reach of this prompt remedy.

Fourthly,—The language of the 24th section is such as to afford some countenance to the opinion, that an apprenticed labourer in attendance on the person of his or her employer, may be removed from the Island, even against the will of the labourer. It being quite clear that such a proceeding would be illegal, I do not suppose that the Colonial Legislature really designed to authorize it. They should, however, prevent the possible misconstruction of their meaning in this respect, by a distinct affirmation that they are not to be so understood.

Fifthly,—By the 33d section, the substitution of whipping for imprisonment is authorized in the case of male offenders; and the substituted whippings may be repeated three times with a maximum of thirty lashes on each occasion, as the punishment for a single offence. It is impossible to sanction the exercise of such an authority by any magistrate whatever, even though invested with a special commission. The infliction of ninety stripes for any offence cognizable before him, is quite inadmissible. In this respect, His Majesty's Government cannot authorize any advance beyond the limits prescribed in the Order in Council; nor will they consider the Parliamentary condition as fulfilled, until the Act of the Legislature of Nevis shall have been amended accordingly.

I have, &c.

(signed) *Glenelg.*

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— No. 233. —

No. 233.

COPY of a DESPATCH from Mr. President *Isaacs* to Mr. Secretary *Stanley*.

Sir, Tortola, May 5th, 1834.

I HAVE the honour, in compliance with a requisition, of which the enclosed is a copy, authorized by the Council and Assembly of the Virgin Islands, to forward herewith, for your consideration and His Majesty's approval, transcripts of four Acts, intituled as therein mentioned, which have been passed by those branches of the Legislature, and shall also take advantage of the earliest conveyance to transmit to his Excellency the Governor-in-Chief, transcripts of the same, together with copies of the said requisition and of this Despatch; and shall, at the same time, furnish his Excellency, in conformity to his general direction, with the opinion of the senior King's counsel of this Colony relative to those Acts which have been submitted to him for examination.

May 2, 1834. On the 11th, 16th & 23d April 1834. *Vide* President Isaac's Despatch, 30 July 1834.

The existing diversity of opinion of different members of the Legislature during the course of their endeavours to frame Acts corresponding with the Act of Parliament for the Abolition of Slavery in the British Colonies, and, at the same time, to render them as salutary as possible to all descriptions of persons in these Islands, without losing sight of the local circumstances of the Colony, has retarded the completion of their enactments to so late a period, that were those Acts to be sent to the Governor-in-Chief in the first instance, and the usual course of proceeding to take place, His Majesty's pleasure could not possibly be known here previous to the first of August, when it will be of the utmost importance to the safety and welfare of this Colony that some law should be in force, adapted to the great change which will then take place; and as I have not had the honour to receive any reply to my Despatch, dated the 13th April last, to his Excellency Governor M'Gregor, shortly after receiving a notification that such requisition would be made, requesting his Excellency's direction for my guidance on the occasion, and which I can only attribute to a cause for which I feel great regret, having learnt on the packet's arrival, a few days ago, that he was so much indisposed as to be unable to attend to business; I have therefore been induced, from the urgency of the case, to entertain the application, considering that I am, as the officer administering the government of these Islands, borne out in doing so by the "Fourth Article" of the additional Royal Instructions.

I have, &c.

(signed) *Wm. Rogers Isaacs*,
President, administering the Government of the Virgin Islands.

Enclosure in No. 233.

Enclosure in No. 233.

Sir, Tortola, 2d May 1834.

WE have the honour to transmit you transcripts of four Bills passed by the Board of Council and House of Assembly, in conformity with a Statute of the Imperial Parliament, 3 & 4 William IV., intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves;" viz.—

No. 1.—An Act for regulating the division of apprenticed Labourers into their respective Classes, for providing for the dissolution of the Apprenticeship by Contract or otherwise.

No. 2.—An Act to regulate the removal of prædial apprenticed Labourers from one Plantation or Estate to another; the Alienation by Sale, Inheritance or Will of the services of apprenticed Labourers; the Apprenticeship of Children of apprenticed Labourers; and the relation in which apprenticed Labourers will stand towards the State in the said Virgin Islands, and thereby to carry more effectually into operation the Enactments contained in that behalf, in an Act of the Imperial Parliament of Great Britain, intituled, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves."

 No. 3.—An

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No. 3.—An Act for prescribing the Duties of apprenticed Labourers and Employers respectively, and imposing Penalties for the non-performance thereof, and providing other Regulations for the Maintenance of good Order.

No. 4.—An Act for prescribing the Powers and Duties of Special Justices, and for defining the jurisdiction of the same.

Which Bills we request may be transmitted to His Majesty's Principal Secretary of State for the Colonies direct, the emergency of the occasion requiring that this should be done forthwith; the period to the 1st of August 1834, when it was intended they should come into operation, not allowing sufficient time to transmit them previously to the Governor-General of Antigua, &c. &c. for approval: And for so doing we suggest a full authority is contained in the Royal Instructions to Sir Evan John Murray M'Gregor, dated 22d February 1833, intituled, "Additional Instructions."

We have, &c.

(signed) *Wm. Gordon*, President of the Council.
Thos. Marsh, Speaker of the Assembly.

To his Honour the President administering the Government of the Virgin Islands, &c. &c. &c.

No. 234.

—No. 234.—

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 7 June 1834.

I AM directed by Mr. Secretary Spring Rice to acknowledge the receipt of Mr. President Isaacs' Despatch, dated Tortola, 5 May 1834, transmitting four Acts connected with the Abolition of Slavery, which had been passed by the Council and Assembly of the Virgin Islands; and I have to inform you, that in consequence of these Bills not having received your assent, or that of the President of the Virgin Islands, His Majesty is precluded from pronouncing any opinion upon them. It is a subject of considerable regret to Mr. Spring Rice that the Bills should have been sent home in such a form; but in order to obviate the serious inconvenience which would result to the Islands by these Bills not coming into operation on the 1st August next, I am directed to acquaint you that Mr. Spring Rice has received the King's commands to inform you, that if the House of Assembly of the Virgin Islands be still in session, and the usages of the Colony permit it, the required assent should be given by the officer administering the Government. If, on the other hand, the session shall have been closed, I am to desire that immediate steps be taken to convene the Legislature, who must be invited to re-enact these Bills, to which, when so re-enacted, Mr. President Isaacs will give his assent.

I have, &c.

(signed) *John Lefevre.*

P. S.—I have sent a copy of this Despatch to Mr. President Isaacs for his information and guidance, and lest any unforeseen circumstance should prevent you from communicating with him; but you are nevertheless to instruct him as above directed.

No. 235.

—No. 235.—

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to Mr. President *Isaacs*.

Sir, Downing-street, 7 June 1834.

WITH reference to your Despatch dated 5th May last, transmitting four Bills which had passed the Council and Assembly of the Virgin Islands connected with the Abolition of Slavery, I have the honour to enclose to you for your information and guidance, and lest any unforeseen circumstance should prevent Sir E. M'Gregor from communicating with you, the copy of a Despatch which by Mr. Spring Rice's direction I have addressed to Sir M. M'Gregor.

I have, &c.

(signed) *John Lefevre.*

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—No. 236.—

No. 236.

Copy of a DESPATCH from Mr. President *Isaacs* to Mr. Under-Secretary *Lefevre*.

Sir, Tortola, July 30, 1834.

I have the honour to acknowledge the receipt of your Despatch dated 7 June 1834, on the subject of four Bills connected with the Abolition of Slavery, which had passed the Council and Assembly of the Virgin Islands, and were transmitted by me on the 5th May last, together with a copy of a Despatch addressed by direction of Mr. Secretary Spring Rice to Sir Evan J. M. M'Gregor, another copy of which I have also received from Governor M'Gregor, with his Despatch dated on the 16th July inst., acquainting me that he had transmitted the same for my information and guidance; on the receipt of which, the House of Assembly being still in session, I caused the seal of the Virgin Islands to be affixed to those four Bills, and have given my assent thereto, so that they will come into operation on the 1st of August.

Four Acts, printed in Appendix (B.) Nos. 37 to 40.

I have, &c.

(signed) *Wm Rogers Isaacs*,
President of the Virgin Islands.

—No. 237.—

No. 237.

Extract of a DESPATCH from Governor Sir *E. J. Murray M'Gregor* to Mr. Secretary *Spring Rice*, dated Nevis, 1 August 1834.

Tortola.

I have the honour to state, that His Majesty's ship 'Belvidera' anchored on the 23d in the harbour of Tortola, and the Enclosures Nos. 1, 2 and 3 show what passed there between the Legislature and myself. A degree of uncertainty, rather than positive alarm, seemed to prevail respecting the intentions of the Negro population; but the militia, including the liberated Africans, who are highly loyal and zealous, were under arms and well clothed and appointed, which circumstance, together with the presence of the King's troops, the established conviction that ships of war are in the neighbourhood, ready to appear if wanted, and the probability that experience may reconcile the apprenticed labourers to their new condition, lead me to dismiss the idea of their openly resisting its provisions, unless attempts of the like nature in any other quarter should unfortunately prove successful.

24th July 1834.

The special magistrate appointed by His Majesty's Government for service in the Virgin Islands had not yet appeared there, which was felt by the public authorities as a most serious inconvenience.

Enclosures in No. 237.

Enclosures in No. 237.

No. 1.

Mr. President, and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

In addressing your Honourable Board and House, it is a source of gratification to me publicly to testify the favourable sense with which I am impressed of the general good conduct, since my appointment to this government, of the labouring population.

Rejoicing, as a sincere friend of the Negro race, at the important amelioration of their lot about to be introduced on the abolition of slavery, I anxiously advise them by diligence, assiduity and obedience during the intermediate stage of apprenticeship to evince their loyalty and gratitude to the King, and by meriting a continuance of His Majesty's Royal protection thus to render themselves deserving of the ulterior benefits to be eventually conferred on them under the auspices of our most Gracious Sovereign.

Mr. Speaker, and Gentlemen of the Assembly,

The Executive looks to your Honourable House for such co-operation as the best interests of your constituents may be found to demand, particularly in adequately accommodating His Majesty's troops at present stationed here.

Mr. President, and Gentlemen of the Council,
Mr. Speaker, and Gentlemen of the Assembly,

The circumstances attending my arrival at this crisis attest the determination of the civil authorities as well as of the officers commanding the King's naval and military forces, by the vigilant maintenance of public order and tranquillity, to secure the safety and promote the prosperity of all classes of His Majesty's faithful subjects in the Virgin Islands.

Tortola, July 24, 1834. (signed) *E. J. Murray M'Gregor.*

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No. 2.

To His Excellency Sir *Evan J. Murray M'Gregor*, Bart., &c. &c. &c.

We, the members of His Majesty's Council of the Virgin Islands, beg leave to express our great satisfaction at your Excellency's visit to this part of your government.

We are happy to concur with your Excellency, that the slave population since your Excellency's administration have conducted themselves in a peaceable and orderly manner; and we sincerely hope that they will by their future good behaviour evince their loyalty and gratitude to the King, and thereby merit a continuance of His Majesty's Royal protection.

We duly appreciate the motive by which your Excellency was induced to visit this Colony, and rest satisfied that your Excellency, as well as the officers commanding the King's naval and military forces, will use all the means in their power for maintaining public order and tranquillity, and securing the safety and promoting the prosperity of all classes of His Majesty faithful and loyal subjects in the Virgin Islands.

(signed) *William Rogers Isaacs*, President.

William Gordon. *William Lawson.*
William Crabbe. *H. W. Snow.*
M. D. French.

No. 3.

To His Excellency Sir *Evan J. Murray M'Gregor*, Bart., &c. &c. &c.

Sir,

The Commons' House of Assembly of the Virgin Islands offer their thanks to your Excellency for your visit to this part of your Excellency's government at this important crisis, which cannot fail to have the desired effect on the minds of all classes of His Majesty's subjects in these Islands, more particularly those who are about to experience so great and important a change.

This House begs leave to assure your Excellency that they will at all times be ready to co-operate with your Excellency to secure the safety and promote the prosperity of all classes of His Majesty's subjects in the Virgin Islands.

Assembly Room, Tortola, 24 July 1834. (signed) *Thomas Marsh*, Speaker.

No. 238

—No. 238.—

Extract of a DESPATCH from Mr. President *Isaacs* to Mr. Secretary *Spring Rice*, dated Tortola, 6 August 1834.

It is with pleasurable feelings that I have to acquaint you, that the 1st of August has passed off very quietly, and the Negroes throughout the Island have, contrary to the expectations which were entertained, with a very few exceptions, commenced their labour under the new system in an orderly and peaceable manner, and which I attribute mainly to a timely and very judicious proclamation which his Excellency Governor M'Gregor issued here on the 24th ultimo, when on a visit to this part of his government. I most sincerely hope this state of things may continue.

No. 239.

—No. 239.—

Extract of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Spring Rice*, dated Government House, Antigua, 25 August 1834.

I enclose an extract of a communication from Mr. President Isaacs, affording the pleasing information that order prevailed amongst the apprenticed labourers in the Virgin Islands up to the 4th instant.

4th August 1834.

Enclosure in No. 239.

Extract of a LETTER from his Honour the President of the Virgin Islands to Sir *Evan Murray M'Gregor*, Bart., dated 4 August 1834.

I feel most happy in being enabled to inform your Excellency that the 1st of August has passed off very quietly. The Negroes generally throughout the Island were given the day; a great number came into town and attended their usual places of worship, and conducted themselves very peaceably; no unusual excitement was manifested, and with the exception of a few instances, of little importance, all went quietly to their work under the new system on the following Monday morning. I sincerely hope this state of things may continue.

—No. 240.—

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 28 July 1835.

HIS Majesty's Government have had under their consideration four Acts passed by the Legislature of the Virgin Islands in the month of April 1834, (although not received at this department till the present month,) of which the numbers and titles are as follows:

(No. 87.) "An Act for regulating the division of apprenticed Labourers into their respective Classes, and for providing for the dissolution of the Apprenticeship by Contract or otherwise."

(No. 88.) "An Act for prescribing the duties of apprenticed Labourers and Employers respectively, and imposing Penalties for the non-performance thereof, and providing other regulations for the maintenance of good order."

(No. 89.) "An Act for prescribing the powers and duties of special Justices, and for defining the Jurisdiction of the same."

(No. 90.) "An Act to regulate the removal of prædial apprenticed Labourers from one Plantation or Estate to another; the alienation by sale, inheritance or will, of the services of apprenticed Labourers; the apprenticeship of children of apprenticed Labourers, and the relation in which apprenticed Labourers will stand towards the State in the said Virgin Islands, and thereby to carry more effectually into operation the enactments contained in that behalf in an Act of the Imperial Parliament of Great Britain, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.'"

The common object of these laws is to give effect to the Act for the Abolition of Slavery; and being for the most part transcribed from the projected Order of the King in Council, of which copies were sent to the West Indian Legislatures for their guidance, they are, in their general tenour, free from objection. But there are some material exceptions to be made to this remark, which I proceed to specify.

First.—By the 7th and 10th clauses of the Act No. 87, the right of purchasing a discharge from apprenticeship is denied to the labourers in two cases. The first is that in which the party shall have been proved to have been guilty at any time since his apprenticeship of *any theft*, larceny, or *any crime* or felony; or of having received stolen goods; or of having acquired dishonestly or fraudulently any part of the money he is about to pay; or of having run away or absented himself from his employer's service for twenty days at one or at several times, or shall have been convicted of harbouring any runaway apprentice. The second case is that in which the apprentice may fail to pay the amount of the valuation; that failure is to be fatal to his application for a discharge at any future time. Without pausing to comment on the injustice of these provisions, it is sufficient to say that they are repugnant to the 8th clause of the Act of Parliament, which gives the right of purchasing a discharge, unfettered by any such restriction. No Colonial Legislature can lawfully contravene the British statute by such an enactment.

Second.—The 12th and 13th sections of the Act No. 88, forbid the apprentice to receive any person in his own hut, if within the employer's estate, except with the employer's consent; the case of a husband or wife being excepted only, if the applicant for the indulgence be of good character, and if the request for conjugal society be preferred in a proper manner; and even then the parties are to meet at the home of the apprentice only at proper times, and as long as they shall conduct themselves in a proper manner. There is an uncertainty and harshness in these rules, which I forbear to dwell upon, since their illegality is a still more conclusive objection to them. The apprentice is the tenant at will of the hut he occupies, paying rent in the form of services, and entitled to admit into his home whatever person he shall think proper, provided that his guests or inmates do not infringe the police regulations of the Colony, or the good discipline of the plantation. To debar husbands and wives of each other's society, or even, in the present state of West Indian manners, to forbid an apprenticed labourer to receive his concubine under his roof, is an invasion of the rights of the apprentice, for which no compensation could be found in any consequent increase of good order or of good morals.

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Third.—The 15th section of the same Act forbids the apprentice to quit the district in which he lives, without a written pass from his employer. Unless the special justice be entitled to grant this indulgence, the effect will be to give to the employer a monopoly of the leisure time and extra labour of their apprentices. This is entirely at variance with the spirit of the Act of Parliament, and terms of the Order in Council.

Fourth.—The 19th section forbids an apprentice to depasture any cattle or other live stock, on the land of any person whatever, except in pursuance of a *written* authority for the purpose. Such regulations, if enforced, are calculated to give rise to continual vexation, and do little or no good.

Fifth.—Under the 28th section of the same Act, the special magistrates are authorized to sentence the apprentices to imprisonment on the estates. No security is taken against the use of improper places of confinement.

Sixth.—The seven and a half hours of daily labour are, by the 39th section, declared to commence with the arrival of the labourer at his place of work. I cannot admit the justice of this rule. While walking thither, he is just as much engaged in his employer's service as when actually at work there; and if he resides four miles from the scene of his labour, this rule would add two hours daily to the period prescribed by Parliament.

Seventh.—By the 51st section of the Act No. 88, and by the 24th section of the Act No. 89, an appeal is given to the King's Bench and quarter sessions against the decision of the special magistrates. As those courts have no judges except the proprietors of the colony, the result of this rule is to give to them an entire control over the administration of the law between employers and apprentices.

Eighth.—By the 22d section of the Act No. 89, whatever time an apprentice passes in prison will render him a debtor to his employer for a double amount, just as though the absence had been voluntary. I consider this twofold punishment objectionable, both as unjust in itself, and as giving to the employer a direct interest in the misconduct of his apprentice.

Ninth.—By the second clause of the Act No. 90, it is declared that the consent of a single special justice shall be sufficient to authorize the transfer of a prædial apprentice from one plantation to another. The 9th section of the British Act of Parliament requires the consent of *two* justices. If it is said there may be only one in the Colony, the inevitable answer, I apprehend, is, that in such a case Parliament has made the apprentice irremovable. The expediency of that rule may be debated; but the existence of it, and consequently its authority until repealed, is perfectly clear.

Tenth.—The 4th section of the same Act declares, that in cases where the removal of the apprentice may not last beyond five days successively, the consent even of a single magistrate shall not be necessary. The 9th section of the Act of Parliament, on the contrary, forbids the employment of prædial apprentices at all, beyond the limits of the estates to which they were attached on the 1st of August last, unless the consent of two special justices be obtained in the peculiar case which is there mentioned.

You will be pleased to communicate to the Legislature of the Virgin Islands, the objections which I have been thus under the necessity of stating to their laws for giving effect to the Act for the Abolition of Slavery; and whilst you request them to take measures for removing these objections, you will not fail to remind them, that they cannot, in the meantime, be considered as having performed the condition on which alone they will be entitled to their share of the Compensation Fund.

I have, &c.

(signed) *Glenelg.*

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—No. 241.— No. 241.

COPY of a DESPATCH from Lieutenant-Governor Sir *C. M. Schomberg* to Mr. Under-Secretary *Lefevre*.

Government House, Dominica,
Sir, Roseau, 3 August 1833.

I HAVE the honour to transmit (direct) a copy of a message received this day from the Honourable Board of Council and the Honourable House of Assembly of Dominica, for the information of the Right honourable the Secretary for the Colonies.

The message, as will appear, was in consequence of my communication to the Legislature on the subject of the resolutions which passed both Houses of Parliament, relative to the Abolition of Negro Slavery, bearing date 25 June 1833.

I have been induced to communicate direct, from the desire expressed on the part of the Right honourable Secretary to obtain information, as early as possible, on this important subject, and more especially as the packet might not delay sufficiently long at Antigua, to insure transmission through his Excellency the Governor in Chief from thence.

I have duly apprised his Excellency Sir Evan M'Gregor of the steps I have therefore thought it expedient to adopt.

I have, &c.
(signed) *C. M. Schomberg*, Lieut.-Governor.

Enclosure in No. 241. Enclosure in No. 241.

His Honour the President and Council, and the Speaker and House of Assembly, to his Honour the Lieutenant-Governor.

IN acknowledging the receipt of your Honour's message of the 27th ultimo, received yesterday, transmitting for our information the very important Despatch of the Right honourable the Secretary of State for the Colonies, with the Resolutions by which the House of Commons have declared the expediency of adopting immediate and effectual measures for the Abolition of Slavery in the British Colonies; we beg leave to express our sense of the enlightened view which Parliament has taken of that momentous question, embracing as it does not only a great financial measure, but the interest of the slaves and society at large, both in the West Indies and the Mother Country.

The principle of compensation to proprietors of slaves having been conceded to the amount of twenty millions sterling, we most confidently rely on the justice of Parliament for a fair and unqualified distribution of this grant, *per capite*; we shall then be ready to co-operate with Government, and apply ourselves in a spirit and temper befitting the important duties of so arduous an undertaking as this great change in the existing relations of society will immediately require of us. We shall wait with a cheerful hope, not unmixed with anxiety, for the provisions of the Bill which is to give effect to the Resolutions, in the expectation that it will be of such a nature as to aid and assist our future deliberation on this important subject.

Council Chamber, 3 August 1833. (signed) *Wm. Blane*, President, pro temp.
House of Assembly, 3 Aug. 1833. (signed) *James Corlet*, Speaker.

—No. 242.— No. 242.

COPY of a DESPATCH from Lieutenant-Governor Sir *C. M. Schomberg* to Mr. Secretary *Stanley*.

Sir, Dominica, Roseau, 2d November 1833.

ALTHOUGH nothing has occurred to make it necessary for me to communicate with you direct, yet, as the present may be considered a moment of some anxiety, I do myself the honour of stating, that since His Majesty's proclamation has been promulgated in due form, and in French and English, and since the substance of the Act for the Abolition of Slavery has been explained in the fullest manner to the Negroes on the different estates, every thing has continued as tranquil on this Island as when I assumed the executive duties on the day of my arrival, the 23d April last.

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The feeling on the part of the old Negroes, I have reason to believe, is not unmixed with doubts respecting their future fate, when the period of apprenticeship will terminate, and at a time when they may look forward to be helpless: that manifested by the younger people is merely an anxiety for speedy emancipation. Much more apathy, however, has been observed on the part of the Negroes generally on the subject, than was expected by people of considerable experience.

Some planters and attorneys on the estates now seem to wish for immediate and total emancipation of their Negroes, from an idea that they could make more advantageous arrangements than they fancy they are likely to do (all considered) under those about to be adopted. Doubts of future results must pervade a certain number of persons, but I hope not the majority. Coffee is likely to be more cultivated than heretofore, especially by the French proprietors, the advantages of which cannot of course be felt for some years.

I have the honour to enclose copies of messages to and from the Assembly on the occasion of presenting the Abolition Bill and its accompanying circular. The House on both occasions was thinly attended. I have reason to know that a great desire exists to ascertain the feelings of other islands on the present occasion.

I shall have the honour of transmitting to his Excellency the Governor-in-Chief copies of any public documents which may be forwarded to the Colonial Department from time to time.

I have, &c.

(signed) *C. M. Schomberg*, Lieut.-Governor.

Enclosures in No. 242.

Enclosures in No. 242.

His Honour the Lieutenant-Governor to his Honour the Speaker and House of Assembly.

His Honour the Lieutenant-Governor avails himself of the earliest opportunity of laying before the honourable House of Assembly, "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," bearing date 28th August 1833, forwarded by Mr. Secretary Stanley, and received this day; the same having been assented to by His Most Gracious Majesty.

His Honour also transmits copies of a Royal Proclamation, which will be immediately made public, according to the instructions of the Right honourable the Secretary of State for the Colonial Department.

Whatever further information his Honour may have to transmit, both honourable Houses of the Legislature may depend on the earliest possible communication being made to them of it from time to time.

(signed) *C. M. Schomberg*, Lieut.-Governor.

Government House, 8 October 1833.

His Honour the Speaker and House of Assembly to his Honour the Lieutenant-Governor.

The House have to acknowledge the receipt of your Honour's message of yesterday's date, accompanied by "An Act for the Abolition of Slavery throughout the British Colonies, for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," bearing date the 28th of August 1833; also His Majesty's Proclamation, referring to the same; and beg to assure your Honour that they will lose no time in taking that important measure into their most serious consideration.

(signed) *James Corlet*, Speaker.

House of Assembly, 9th October 1833.

His Honour the Lieutenant-Governor to his Honour the Speaker and House of Assembly.

Vide Circulars, Part I.

The Lieutenant-Governor avails himself of the present occasion to lay before the honourable House of Assembly a copy of a circular Despatch from the Right honourable the Secretary of State for the Colonial Department, relative to the "Act for the Abolition of Slavery throughout the British Colonies," which has been already submitted.

The message received by the Lieutenant-Governor from the honourable House of Assembly, in reference to that Act, leads him confidently to look forward to cordial, earnest and active exertion, in furtherance of the important measures requisite to be adopted by the honourable House of Assembly, for the full accomplishment of the great objects which His Majesty's Government have in view, the happiness of His Majesty's subjects, and the prosperity of his colonial possessions.

The

The Lieutenant-Governor begs to assure the honourable House, that he will be most happy in cheerfully and diligently performing that part of his duty which may tend to facilitate the measures that may be thought expedient to adopt, in order to conquer any difficulties which may arise (from time to time) from local or unforeseen circumstances, and which the Lieutenant-Governor hopes will be no sooner discovered than dissipated.

(signed) *C. M. Schomberg*, Lieut.-Governor.

Government House, 28 October 1833.

His Honour the Speaker and House of Assembly to His Honour the Lieutenant-Governor.

THE House respectfully acknowledge your Honour's communication of the 28th instant, accompanied by a Despatch from the Right honourable the Secretary of State for the Colonies, dated 5th September last, relative to the Bill passed by the British Parliament for the Abolition of Slavery in the Colonies.

This subject will meet such attention from the House as one of so much moment demands.

(signed) *James Corlet*, Speaker.

House of Assembly, 30 October 1833.

— No. 243. —

No. 243.

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 30th December 1833.

I HAVE the honour to acknowledge the receipt of a Despatch which Sir Charles Schomberg addressed to me on the 2d November last, enclosing copies of his messages to the House of Assembly, and the replies of the Assembly thereto, on the occasion of the Abolition Bill being presented to the House.

I have, &c.

(signed) *E. G. Stanley.*

— No. 244. —

No. 244.

COPY of a DESPATCH from Governor Sir *E. J. Murray M'Gregor*, Bart., to Mr. Secretary *Stanley*.

Sir, Government House, Antigua, 30th May 1834.

I DO myself the honour of forwarding two Acts passed by the Legislature of Dominica, and which have been assented to by the Lieutenant-Governor, under my instructions, in conformity with the advice of His Majesty's crown lawyers, for the Island of Antigua, viz.

Acts printed in the Appendix (B.) No. 41 & 42.

1st. "An Act for registering all Persons actually within this Island, on the first day of August, in this present year of our Lord One thousand eight hundred and thirty-four, and who shall have been duly registered as Slaves, in conformity with the Laws now in force; and also for establishing a Classification thereof, for the purposes set forth in and by an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.'"

2dly. "An Act for the Abolition of Slavery in this Island, in consideration of compensation, and for promoting the industry of the manumitted Slaves."

Extract of Summary by Attorney-General of Dominica.

"The *first* of these Bills has for its object,—

"1st. A new and special enregistration of all the slaves actually in the Colony on the 1st August 1834, with a view of clearly defining the parties coming within the terms of the first clause of the British Act; and secondly, the *classification* of the apprenticed labourers, according to a form annexed, and a *statement in alphabetical order of the names* of every slave in the Colony, with an additional column for those who shall, on the 1st August, be under the age of six years.

"The returns are directed to be on the 1st day of August 1834, or within thirty days after; the classification of the labourers is distinctly stated, and the whole of this section is in perfect accordance with the strict letter of the first and fourth sections of the British Act.

"2d. To facilitate the preparing these returns, the registrar is directed to send printed copies of the Act to the waywardens of each parish, for distribution and general information, to cause advertisements to be inserted in the

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public newspapers, and at the public expense to cause to be printed for general distribution forms of the returns directed to be made.

"3d. Registrar to preserve the original returns, and within six months to copy them in a strongly bound book, to be kept for public inspection.

"4th. The registrar to authenticate the registry when completed.

"5th. Parties making returns to be sworn to the truth thereof.

"6th. Registrar doubting the accuracy of the return to summon all proper parties and witnesses, and to inquire into the same, and if necessary to correct returns; either party to have the right to appeal to a judge of the Court of Common Pleas.

"7th. Party neglecting to make return on affidavit to incur a penalty not exceeding 25*l.* nor less than 40*s.*

"8th. The judges to make rules regulating the proceedings on appeals from the decision of the registrar.

"9th. Question arising as to what class an apprenticed labourer belongs, a certified extract from the registry to be conclusive evidence.

"10th. Registrar neglecting duty to incur penalty of 200*l.*, and to be liable to action at the suit of the party aggrieved.

"11th. Registrar to receive 300*l.* currency out of the Colonial Treasury, on the completion of the duties required of him by this Act.

"12th. Points out the mode in which fines and penalties are to be recovered; one half to the informer, and the other half to be paid in the Treasury.

"13th. Parties wilfully making false oath to any matter required by the Act declared guilty of perjury."

"The *next* Bill professes to embrace every object contemplated by the Act of Parliament, and is intituled, 'An Act for the Abolition of Slavery in this Island, in consideration of compensation, and for promoting the industry of the manumitted Slaves.'

"The first seven clauses are precisely in the terms of the British Act, with the exception of section 4 of the British Act, regulating the classification of the labourers, which is provided for by a distinct Bill, already alluded to.

"These clauses regulate the manner of discharging labourers from their apprenticeship, and they embrace the object of the Imperial Parliament, as expressed in the 7th and 8th sections of the British Act. In cases of compulsory discharge, without the consent of the employer, they provide that the appraised value shall be fixed by three magistrates, one of whom shall be of special appointment.

"—— Is in accordance with the 10th section of the British Act, and provides that no labourer, for the purposes of judicial sale, shall be removed from the place of his abode, and in cases of attached prædials shall only be sold with the land.

"—— This section, as well as the 45th, 46th, 47th, 48th and 49th, have in contemplation the carrying into effect the intention of the Imperial Parliament, as expressed in the 11*th section* of the British Act.

"—— Are transcripts from the 12th and 13th sections of the British Act.

"—— This is in accordance with the 18th and 19th sections of the British Act. Special justices alone to have exclusive jurisdiction over all offences, &c. committed by labourers or their employers in their relation to each other.

"—— Is in conformity to the 17th section of the British Act."

The various local rules and regulations which the 16th section of the British Act leaves it to the Legislature of each Colony to make and establish, for carrying into complete effect the object and the intention of the Imperial Parliament, are amply provided for by the remaining sections of this Bill, which have been transcribed, mostly from the Jamaica Act, and from the Orders in Council framed in reference to British Guiana, alluded to in Mr. Secretary Stanley's Despatch of the 19th October 1833. The "Jamaica Act," as published in the newspapers, has been relied upon as a model; but the enactments of the Dominica Bill are, in many particulars, much more full and explicit, and, in my humble opinion, embrace every point specified in the British Statute, or contemplated by His Majesty's Government.

The following is an extract from Lieutenant-Governor Sir Charles Schomberg's Despatch of the 19th instant, in which the foregoing Acts have been transmitted to me.

"I have caused the great seal of the Island to be affixed to each of the Acts herewith forwarded, in order (if your Excellency should deem it proper) that

that the duplicate also should be transmitted to His Majesty's Secretary of State for the Colonies, instead of the usual practice of sending one copy to the President of the Board of Trade, to whose department the Acts in question do not in any way refer."

I have, &c.

(signed) *E. J. Murray M'Gregor*, Governor.

— No. 245. —

No. 245.

COPY of a DESPATCH from Lieutenant-Governor Sir *C. M. Schomberg* to Mr. Secretary *Spring Rice*.

Dominica, Roseau, 1 August 1834,
6 o'clock P. M., Mail-boat due.

Sir,

THE date of this Letter will, I trust, sufficiently account for my having the honour of communicating with you direct, especially as his Excellency the Governor-in-Chief may not be immediately on the spot when the mail-boat takes her final departure for St. Thomas.

I therefore have the honour to state, that every thing is quiet, as far as I can learn up to the hour before stated; but an apparent sulky dislike to the apprenticeship system is quite manifest among the negroes, nor are there in Roseau, as yet, any symptoms of rejoicing or satisfaction displayed.

One stipendiary magistrate, who is indefatigable in the execution of his laborious duties, Mr. Radford, has arrived; the absence of the others is much felt, from the difficulties of the interior of this Island, and from the sickly season having set in with severity. I have therefore found it absolutely necessary to appoint 17 special magistrates to meet the weight of duty at this serious crisis, for the reasons already stated.

I have, &c.

(signed) *C. M. Schomberg*, Lieutenant-Governor.

— No. 246. —

No. 246.

COPY of a DESPATCH from Lieutenant-Governor Sir *C. M. Schomberg* to Mr. Secretary *Spring Rice*.

Dominica, Roseau, 2 August 1834, 10 A. M.

Sir,

I HAD the honour of addressing you yesterday, the 1st of August, and as the mail-boat is now in sight, I shall only state that all remains quiet, and that no unfavourable reports have reached me from any quarter of the Island.

I am much gratified in observing that a greater proportion of food is pouring into the market (Saturday) than usual, and I trust that on Monday the field labour will be resumed without interruption of any consequence.

I have, &c.

(signed) *C. M. Schomberg*, Lieutenant-Governor

— No. 247. —

No. 247.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Downing-street, 6th September 1834.

Sir,

I HAVE received Sir C. Schomberg's Despatches of the 1st and 2d of August, copies of which were doubtless duly transmitted to you. You will be pleased to convey to Sir C. Schomberg my acknowledgements for these communications, and my approval of the appointment by him of 17 special magistrates to assist the one who had arrived from this country in meeting the weight of duty which was to be expected to devolve upon the magistracy at the present period. I learn with satisfaction the favourable opinion entertained by the Lieutenant-Governor of Mr. Radford, the stipendiary magistrate, who had reached his destination; and I trust that one, at least, of the others will have arrived in Dominica shortly after the date of Sir C. Schomberg's Despatches.

I have, &c.

(signed) *Thos. Spring Rice.*

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—No. 248.—

No. 248.

EXTRACT of a DESPATCH from Lieut.-Governor Sir *C. M. Schomberg* to Mr. Secretary *Spring Rice*, dated Dominica, Roseau, 15th August 1834.

A MERCHANT vessel, the Coriolanus, being on the point of sailing for England, as she will probably arrive before the regular packet, I have the honour to state for your information, that discontent has manifested itself, on the part of the negroes, on the French estates, by a refusal to labour and a declared hostility to the apprenticeship system of six years.

I have now, however, the satisfaction of reporting, that the insubordination alluded to has been promptly checked by firm but temperate measures, which had the effect of making the labourers resume their work for the present, and I hope for a continuance. The benefit derived from the appearance of the stipendiary magistrate, being a stranger, has been of great service, the other magistrates (special) having been familiar to the negroes.

Nothing has occurred, on the part of the negroes, of a more violent character than what has been stated, except in a few instances, and then the women were always the instigators and the most difficult to manage.

When the expected stipendiary magistrates arrive, I make no doubt but that much change may be produced for the better on the French estates, where laziness, subterfuge and neglect are only to be combatted by vigilance and perseverance.

The fatigue experienced by the magistrates, from the nature of the difficulties in penetrating into the Mountain Districts, has been great, the rains and sickly season having set in with severity.

My last communication from his Excellency the Governor in Chief was dated the 16th ult. His Excellency is, I believe, still at St. Christopher's.

P. S.—I have to regret that Mr. Radford, the stipendiary magistrate, is seriously ill from his exertions. His temporary loss is much felt, the negroes having the utmost confidence in him, being fully aware of his immediate authority.

No. 249.

—No. 249.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 16th October 1834.

I HAVE to acknowledge through you the receipt of a Despatch of the 15th August, addressed to me directly by the Lieutenant-Governor of the Island of Dominica.

You will be pleased to convey to the Lieutenant-Governor the satisfaction with which I have learned how trifling has been the extent of dissatisfaction and insubordination which has arisen in the Island of Dominica, and that at the date of his Despatch tranquillity had been restored.

You will express to the Lieutenant-Governor, and through him to all persons, whether civil or military, acting under his command, the approval which His Majesty is pleased to authorize me to convey to them for their zeal and exertions.

I have, &c.

(signed) *Thos. Spring Rice.*

No. 250.

—No. 250.—

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *C. M. Schomberg*, to Governor Sir *E. J. Murray M'Gregor*, Bart., dated Government House, Dominica, Roseau, 26 August 1834.

I AVAIL myself of the opportunity of the departure of the mail-boat to inform your Excellency, that since my last communication every thing has continued quiet here, and that the apprentices on the estates work without compulsion, though not with much alacrity.

When the three stipendiary magistrates are well at work, and have found the means of getting about, I hope things will assume a greater degree of activity.

— No. 251. —

No. 251.

COPY of a DESPATCH from Lord *Aberdeen* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Colonial Office, 10th January 1835.

WITH reference to the Act passed by the Lieutenant-Governor, Council and Assembly of Dominica, in the month of May last, for the Abolition of Slavery, I have to acquaint you that I expect to transmit to you by an early opportunity an Order of His Majesty in Council, by which that Act will be left to its operation.

On collating this Act with the corresponding law of Jamaica, I perceive that the former has been transcribed from the latter, with but few variations; and that these either do not affect the sense materially, or consist in amendments of which the uniform design is to render the law more effective. It therefore appears to me that I could not acquit myself of my duty on this occasion more correctly than by transmitting to you the enclosed Copy of the Despatch, in which my predecessor, Lord Stanley, commented on the corresponding law of Jamaica. The Council and Assembly of Dominica will receive it as containing those remarks which I think it necessary to make on the provisions made by them for accomplishing the same general object. It will be found inapplicable only in reference to those occasional amendments to which I have already adverted.

Vide Part I. page 33.

I have, &c.

(signed) *Aberdeen.*

—No. 252.—

No. 252.

COPY of a DESPATCH from Lord *Aberdeen* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 20th February 1835.

I HAVE the honour to transmit to you herewith an Order in Council, dated the 7th instant, leaving to its operation an Act passed by the Legislature of the Island of Dominica, in the month of April last.

I have, &c.

(signed) *Aberdeen.*

—No. 253.—

No. 253.

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *E. J. Murray M'Gregor*, Bart.

Sir, Downing-street, 3d August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., declaring that adequate and satisfactory provision hath been made in the Colony of Dominica, for giving effect to an Act of Parliament made in the third and fourth year of His present Majesty for the Abolition of Slavery.

Order in Council, 31 July 1835. Printed in the Appendix of Part II. (B.) No. 17.

I have, &c.

(signed) *Glenelg.*

ST. VINCENT.

No. 254.

—No. 254.—

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 1 July 1833.

I HAVE the honour to enclose two Reports from the Lieutenant-Governor of St. Vincent, describing such unpleasant symptoms in the conduct of a part of the slave population of that Island, that I lost no time in repairing there myself; Commodore Farquhar having kindly allowed a brig of war to precede me and to attend my requisitions there.

I am now happy to report that the judicious measures adopted by Captain Tyler, the Lieutenant-Governor, effectually restored tranquillity.

It must not however be forgotten, that St. Vincent is remarkably strong in fastnesses, and security for slaves in rebellion, whence they can invade cultivated parts and long maintain themselves; and the rebellion of the Charibs, under the influence of the French, at the beginning of the last war, has left impressions of the difficulties by which they were ultimately overcome.

Altogether, from the intelligence of the negroes of this Island, and the knowledge they possess of the strength of the interior defences against regular troops, I shall watch over them with anxious suspicion; and as a temporary precaution, I have ordered arrangements by which the whole of the 69th regiment will be concentrated in the Island, a post established on the Charib coast, and a guard afforded to the capital; the Island meeting the whole expense of these additional quarters.

I have, &c.
(signed) *Lionel Smith.*

Enclosures in No. 254.

Enclosures in No. 254.

Sir, Government House, St. Vincent, 1 June 1833.

I HAVE the honour to acquaint your Excellency that I received on the 21st ult. information from the owner of one of the estates in the Charib country, that the negroes had become not only on that estate, but on others within the same district, very troublesome, displaying a great deal of insubordination, and using language towards their masters subversive of their power and authority. Presuming that such conduct was the result of a preconcerted plan on the part of the negroes, for the purpose of intimidating their owners and managers, I immediately directed the magistrates, within the district alluded to, to institute an inquiry into the above statements (a copy of my letter to them I forward to your Excellency), and to report to me the issue of their investigation. Their report (a copy of which, with one of the letters that accompanied it, I also enclose,) I received on the 26th ult.

No. 1. May 20th.

No. 2. May 21st.

No. 4 & 5. May 24th.

By these documents your Excellency will perceive the spirit that prevails at present among the negroes of that part of the Island, and I am led to believe by other information, that a similar feeling is common in the negro class throughout this Island. I am, however, far from imagining that these indications of disaffection will lead to any serious results, but at the same time, and more particularly under present circumstances, I thought it my duty to prove to them how prepared and determined we were to stop such proceedings, and to protect both the master and manager from insolence or revenge. To enable me to carry this desirable object into permanent and real effect, I am of opinion that the requisition for a small detachment of troops (as signified in the magistrate's letter,) to be stationed in or near the Charib country, would principally tend to impress the negroes with a just sense of obedience to the laws by which they are governed, as well as throw a shield of protection around the white inhabitants of that part of the country. The distance of these estates from Kingstown, and the difficulty of communication with it, arising from the peculiar formation of the intervening country, renders the necessity of local aid and assistance more imperative. Until that object can be attained, I have thought it advisable, with the concurrence of the Privy Council, to direct Major Reid of the Royal Engineers, an officer well known for his zeal and judgment, as well as his professional acquaintance with all parts of this Island, to repair to the Charib country, accompanied by one of the colonial aide-de-camps, and taking with him a circular which he was instructed to read to the slaves on the disturbed estates in the presence of their masters, who were desired to collect them together for that purpose.

No. 9. Circular, May 28th.

Major Reid was also directed to make observations, during this tour, as to the most eligible station for troops in that country, and to communicate with the proprietors respecting the best method of their quartering such troops.

Having

Having these several objects in view, it was my belief that the course I have adopted and explained to your Excellency, would answer all the ends the magistrates had contemplated as likely to be accomplished by my presence; and I moreover preferred that the civil authority should continue vested in them, until some more urgent cause than the present warranted its suspension.

I have, &c.

To His Excellency, Major-General, Sir Lionel Smith, K. C. B. (signed) *Geo. Tyler.*

COPIES of LETTERS, &c. &c. connected with an Inquiry, directed by his Excellency the Lieutenant-Governor, into the conduct of the Negroes on the Estates in the vicinity of the Charib District.

No. 1.

My dear Sir, Waterloo, 20 May 1833.

I AM sorry to say that there is every appearance of our negroes becoming very troublesome. They all turn out morning and evening long after the proper time, and in a body. I was obliged on Saturday to send three of the Orange Hill people to the stocks, and I have learned that the gang of negroes declared, if they were punished, that they would go to the governor in a body. All the gangs are acting in the same manner, which shows that it is a preconcerted arrangement among them. I have every reason to think that they assemble at night to lay their plans; I of course punished the people this morning, and wait to see if they will put their threat into execution. I think before it is too late that we should apply for the establishment of a post at Mount Young; if all I hear be true, no time should be lost. I suppose you will be home to-morrow.

Yours truly,

To Alexander Cumming, Esq. (signed) *James Sutherland.*

No. 2.

(Circular.)

Gentlemen, Government House, St. Vincent, 21 May 1833.

A LETTER having been communicated to his Excellency the Lieutenant-Governor, from Mr. James Sutherland to Mr. Alexander Cumming, dated the 20th May, stating that a troublesome and insubordinate disposition had manifested itself amongst the negroes on Orange Hill estate, and other properties situated in and near the Charib country; I am commanded by his Excellency to request that you will immediately proceed to a minute investigation of the circumstances alluded to, and that you will make to him as speedy a report on the subject as you can.

I have likewise been directed by his Excellency to request Mr. Sutherland to collect and produce such witnesses as may be necessary to prove the disorderly behaviour of the negroes, and I therefore beg to suggest to you the propriety of fixing with that gentleman on the estate on which it may be most expedient to commence the investigation.

To Alexander Cumming, Esq. J. P.
Patrick Crichton, Esq. J. P.
The Rev. T. A. Browne, J. P.
George Colquhoun Grant, Esq. J. P.

I have, &c.
(signed) *S. Osborne Gibbes,*
Government Secretary.

No. 3.

Sir, Government House, St. Vincent, 21 May 1833.

A LETTER having been communicated to his Excellency the Lieutenant-Governor, addressed to you by Mr. Alexander Cumming, and dated the 20th May, stating, that a troublesome and insubordinate disposition had manifested itself amongst the negroes on Orange Hill estate, and other properties situated in and near the Charib country. I have been commanded by his Excellency the Lieutenant-Governor to request the following magistrates, viz. Mr. Alexander Cumming, Mr. Patrick Crichton, Mr. George Colquhoun Grant, and the Rev. T. A. Browne, to proceed to an immediate and minute investigation of the circumstances alluded to; and I am further directed by his Excellency to request, that you will collect and produce before the above-named gentlemen such witnesses as may be necessary to prove the disorderly behaviour of the negroes, and may assist in conducting the directed investigation.

I have, &c.

To James Sutherland, Esq. &c. &c. (signed) *S. Osborne Gibbes,*
Government Secretary.

No. 4.

Sir, Grand Sable Estate, St. Vincent, 24 May 1833.

IN compliance with his Excellency the Lieutenant-Governor's instructions, we have this day instituted an inquiry into the troublesome and insubordinate disposition which had manifested itself amongst the negroes on the properties situated in and near the Charib country,

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country, and beg leave to enclose, for his Excellency's further information, copies of the various depositions that have been taken, and to report that there appears to us to be a strong spirit of insubordination manifested amongst the negro population on many estates, and which we have every reason to suppose originates from the erroneous ideas they entertain relative to their immediate emancipation.

From the difficulty of eliciting any accurate information from the negroes respecting their own movements, we cannot decidedly state that nocturnal meetings have actually taken place for the purpose of discussing that subject, but we have every reason to suppose that such has been the case.

Under these circumstances, and considering the isolated position of the Charib country, and its distance from any military post, we beg leave respectfully to suggest to his Excellency, as a politic and precautionary measure, the expediency of affording some military protection to this important part of the Island, so soon as the state of the garrison will admit of it, and in the mean time the almost absolute necessity of having the public mind disabused on this important question, either by his Excellency's Proclamation, or what in our humble opinion would be still more efficient, a personal tour of inspection, as we have no doubt that his Excellency's presence would be attended with the most beneficial result to all parties.

And we press this recommendation the more earnestly, because, on reading over the enclosed depositions, his Excellency will not fail to observe in how very few instances have corporal punishments been had recourse to for the purpose of putting down this spirit of insubordination, and how desirable therefore it would be to induce a better feeling of the negro towards his master by the milder measures we have suggested, rather than be compelled to have frequent and repeated recourse to corporal punishments, which would be otherwise absolutely necessary, and which are still legalized by our colonial enactments.

We have, &c.

Sir S. Osborne Gibbes, Bart.
&c. &c. &c.

(signed) *Patrick Crichton*, J. P.
Thomas Alexander Browne, J. P.
George C. Grant, J. P.

No. 5.

PROCEEDINGS of the Bench of Magistrates assembled at Grand Sable Estate in Charlotte Parish, St. Vincent, by order of his Excellency the Lieutenant-Governor, for the purpose of inquiring into "the troublesome and insubordinate disposition which had manifested itself among the Negroes on the Properties situated in and near the Charib Country."

Friday, 24th day of May 1833.

Patrick Crichton, Esq. of Langley-park,
George Colquhoun Grant, Esq. of the Adelphi,
Rev. Thomas Alexander Browne, of Grand Sable,
} SITTING MAGISTRATES.

James Sutherland, esq. of Waterloo estate, being sworn, deposed,—That on his return home from Kingstown, on Thursday, the 16th day of May, he was informed by his manager at Orange-hill, Mr. Stevenson, that the negroes during his absence in town had turned out very late to their work, which he had also confirmed by the testimony of the driver, "that such was the case, but what was the occasion of it he did not know."

Mr. Sutherland added, that he declared in the presence of the gang on the Friday afternoon, that if they persisted in their misconduct he would certainly punish them. The following day (Saturday) he attended at the field himself, and finding the negroes still persisting in the same conduct, ordered three of them into confinement.

The next day (Sunday) he was informed by his manager, that the gang had been overheard to say, that if those three men were punished, they would all go in a body to the governor to complain.

On Monday those three individuals were punished; since which time the gang have turned out to their work at the usual hour.

Mr. Stevenson, the manager of Orange-hill estate, being sworn, confirmed the evidence of Mr. James Sutherland, as relates to what passed in his presence; and further added, that the gang, for some days previous to the return of Mr. Sutherland from town, had generally turned out about half an hour after sunrise, and then proceeded (apparently on a preconcerted plan), in a body to the field which they seldom reached until a quarter before seven o'clock. Mr. Stevenson being asked by whom he was informed of the declaration of the negroes, that if those three men were punished, they would go in a body to the governor to complain, declined naming the person, from an apprehension that the individual might thereby be exposed to ill treatment from the rest of the negroes.

Mr. Alexander Macleod, of Turama, the estate adjoining Orange-hill, being sworn, deposed,—That he went to town on Tuesday, the 14th instant, and on the morning of the 18th, on going to the field, found that the gang had, during his absence of four days, done no more work than they might or ought to have done in two days. On inquiry, the overseer informed him that the negroes turned out very late in the morning; and that in the afternoon,

noon, although they had been allowed fully two hours at noon, they did not turn out till an hour after the shell had blown. He attended at the field himself in the afternoon of the day on which he received the information, and observed that the gang, contrary to their usual practice, had collected in a body near the negro houses, from whence they proceeded to the field in the same manner, and reached it half an hour after the time they ought to have been at work. In consequence of their misconduct, and this apparent combination to neglect their work, he ordered four of those who appeared to be the principals to be punished, since which period they have turned out at the regular hour. One of the four, named Grandison, who had been ordered into confinement after being punished, was heard by Mr. Davis, one of the overseers, and Quashie, one of the coopers, to declare that what had been done to him he would soon do to them. Mr. Macleod being questioned by the magistrates whether he has any knowledge of nightly meetings being held by the negroes from different estates, said that he had every reason to believe that such do frequently take place, as he often met with numbers of the negroes from the other estates going in the direction of Orange-hill and Turama, at very late hours of the night; and further added, that during a residence of twenty-six years in the Charib country, he never before observed the same want of discipline and obedience which has been manifested for some months past. On one occasion, when returning home at eleven o'clock at night, he observed a body of about twenty-five negro men assembled on the high road, at the boundary line between the Rabacca and Waterloo estates; and on his riding up at a quick pace to discover who they were, they immediately dispersed themselves among the cane fields.

Alexander Cumming, esq., proprietor of Lot 14 and Rabacca estate, being sworn, stated that there has been a visible alteration in the conduct of the gang of No. 14 estate, within the last few months. The negroes have come into the hospital in considerable numbers, from thirty to fifty each morning, and the greater number without any appearance of sickness, or in fact any cause to prevent them from pursuing their usual occupations, some stating that they had been attending at the mill, and others at the copper-hole the preceding day, and were tired. A case of this kind occurred two days ago. A man named George came to the hospital, and said that he had a pain in his side; that he had been fireman yesterday, and that he wanted rest. Mr. Cumming told him that he did not think that there was much the matter with him, and thought that he might go to his work, asking him how he could expect to be fed and clothed, &c. unless he worked for it. To this George replied that he had already worked for his master a great deal; that it was true his master gave him fish and clothing, but that the work he did was quite sufficient payment for it; that as to his provision grounds, he had cleared and planted them himself, and that he considered them to be his own; that although his master had bought him with his money, he had already worked sufficiently long to pay him for what he cost. Mr. Cumming left George in the hospital; but on his return after breakfast, found that he had left it on business not connected with the estate, which evidently proved that he was able to resume his labour in the field, if he had been so inclined. Mr. Cumming further stated, that some weeks ago, when he threatened to punish a negro named Simon, for some gross misconduct, he (Simon) approached him in a menacing attitude, declaring that if he were punished, he would do something for which the gallows should be the punishment, and not the treadmill.

Mr. Jennings, the manager of Rabacca estate, being sworn, stated, that at the request of Mr. Cumming he attended at the hospital, at Lot 14 estate, and observed the numbers frequenting it so unusually great, that it would be utterly impossible to carry on the business of the estate if such a practice were continued; that on examination of the different persons he saw there, he found that far the greater number had not the slightest appearance of illness, or any sufficient reason to absent themselves from their work. Mr. Jennings further stated, that at Rabacca estate, where he resides, he finds the negroes generally turning out late to their work, and that the women and small gang in particular not only turn out much later, but do at least one-third less work when in the field than they formerly did; nor do they do their work in their usual cheerful manner. In answer to a question from the bench, of what steps had been taken to induce the numerous skulkers in the hospital at No. 14 to turn out to their work, Mr. Jennings stated, that every means, with the exception of corporal punishment, had been tried without success.

Mr. James Ellis, the manager of Lot 14 estate, being sworn, stated, that the gangs turn out much later than formerly, that they go in crowds to the hospital for the first four days in the week, turning out on Friday and Saturday, and thus losing three or four days' work in each week. Yesterday, on finding fault with some who turned out 15 minutes after sunrise, they told him that it was too cold a morning to turn out earlier. Mr. Ellis further stated, that for the last two months he has observed a spirit of obstinacy and disobedience among the gang, and particularly among the young grown up men and women.

Mr. Thomas A. Hares, overseer at Lot 14 estate, being sworn, deposed,—That being in the field on the 4th of this month, the negroes were very abusive, on account of a smaller quantity of rum than usual being sent *by mistake* to the field, though they were aware at the time that the deficiency had been ordered to be made up to them immediately; that he heard several of them declare that they would soon drive all the white persons off the estates, and take the buckras wives for themselves; that some days after this, as Mr. Cumming's servant was passing the works with his master's horse, deponent heard two young men, Guy and Dublin, in conversation, one of whom observed, pointing to the horse, that that was the one he would get when he was free, and the other said he would buy a gig. He reported these conversations to the manager (Mr. Ellis) immediately after.

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Mr. Thomas Mackintyre, of Colonaire estate, being sworn, deposed,—That for some weeks past he has observed the negroes to be very troublesome, turning out very late in the morning and afternoon; that they sometimes did not get to work until nearly three o'clock in the afternoon, and that this occurred once when Mr. Munro, the attorney of the estate, was on the place; that Mr. Munro went to the field with deponent, and asked the gang if they had any cause of complaint; to which they answered No. Mr. Munro then asked them why they turned out so badly, threatening that if they persisted in it they should be punished. For some time after this, deponent observing no alteration in their conduct for the better, ordered one of those who came last into the field into confinement, with the intention of punishing him, but the gang interceded for him, promising better behaviour for the future; since which they have turned out earlier. Mr. Mackintyre further stated, that when inclined to behave ill or turn out late, the gang seems to act in concert, leaving their houses and going to the field in a body, so that no ringleader can be pointed out.

Mr. Macpherson, manager of Mount William estate, being sworn, deposed,—That the negroes have frequented the hospital of late in much greater numbers than formerly, and that he has great difficulty in prevailing upon them to go to their work.

Patrick Crichton, esq., manager of Langley Park estate, being sworn, deposed,—That he has observed that the negroes have frequented the hospital in great numbers with little or no apparent illness, and that he has found much difficulty in getting them out to their work; that the gang turns out much later than formerly, and that he has been obliged to punish several of them by confinement at night for such conduct.

George Colquhoun Grant, esq. of the Adelphi estate, being sworn, deposed,—That it had been reported to him by the overseers that the gang have, for the last two or three months, turned out very badly to their work; that they have not, while in the field, performed near the quantity of work which they formerly did, and the hospital list shews an increase of nearly double the number formerly there, without any apparent complaint; that the negroes are in a very unsettled state in consequence of the erroneous ideas entertained by them respecting their immediate emancipation; that about five days ago he was compelled to inflict 12 stripes on a negro man named Thomas, who made a practice of constantly coming late to his work, and who on being complained of by the driver and overseers for so absenting himself, was extremely abusive to the latter, declaring that his master had not the power of inflicting corporal punishment on him.

(Circular.) No. 6.

Gentlemen, Government House, St. Vincent, 27th May 1833.

I HAVE the honour to acknowledge the receipt of your Letter of the 24th instant, with a report of the proceedings and evidence taken before you on the subject of the insubordination manifested by the negroes on several of the estates within the Charib district, and having laid the same before his Excellency the Lieutenant-Governor, I am commanded to inform you that immediate attention shall be paid to your suggestions, and every means adopted to prevent the recurrence of the acts of disobedience and disaffection which appear by your report to be generally prevalent amongst the negroes on the estates in that direction.

I have, &c.

To Patrick Crichton, esq., J. P. (signed) *S. Osborne Gibbes*, Govt Secy.
The Rev. T. A. Brown, J. P.
Geo. Colquhoun Grant, esq., J. P.

No. 7.

Sir, Government House, St. Vincent, 27 May 1833.

I AM directed by his Excellency the Lieutenant-Governor to request that you will furnish him with information as to what means of accommodation exist for quartering a company of troops of the line at Mount Young, or in the vicinity of that post.

Major Reid, Royal Engineers, &c. &c. &c. I have, &c.
Fort Charlotte. (signed) *S. Osborne Gibbes*, Govt Secy.

No. 8.

Sir, Fort Charlotte, 27th May 1833.

IN answer to your Letter of this day's date, requiring to know what means of accommodation exists for quartering a company of troops of the line at Mount Young, or in the vicinity of that post, I have the honour to acquaint you that there is now no building on or near it belonging to government, and that the only barracks in the Island are those of Fort Charlotte, with the exception of the small building for eight men at Cane Garden Point. Most of the estates in that part of the country have got some substantial buildings in which a company of infantry could be placed, provided their crop season be over.

I have, &c.

Sir S. Osborne Gibbes, Bart. (signed) *Wm Reid*, Major Rl Engineers.
&c. &c. &c.

(Circular.) No. 9. ST. VINCENT.

Sir, Government House, St. Vincent, 28th May 1833.

It is with feelings of regret and surprise that I find, by a late investigation into the conduct of some of the negroes upon your estate, that they have not only been guilty of great disobedience and insubordination, but that they have actually held out threats of violence and revenge against their master. Such conduct deserves the severest punishment, and they may rest assured that they will find me determined to visit any future behaviour of a similar nature with the exercise of the utmost powers that His Majesty has vested in me, and which, when brought into action will be equally prompt, rigorous and severe. You will, Sir, communicate this to the whole of the negroes under your estate, collecting them together for that purpose, and take this opportunity of impressing upon their minds the absolute necessity of shewing respect to their master, obedience to his commands, and a general improvement in their conduct; otherwise they cannot expect to receive any further benefit or indulgence from our most gracious Sovereign.

I am, &c.

To James Sutherland, esq., of Waterloo Estate. (signed) *Geo. Tyler.*
Mr. Stevenson, of Orange Hill Estate.
Mr. Alexander M'Leod, of Turama Estate.
Alexander Cumming, esq., of Lot 14.
Mr. Jennings, of Rabacca Estate.
Mr. Thomas Mackintyre, of Colonaire Estate.
Patrick Crichton, esq., of Langley Park.
George Colquhoun Grant, esq., of the Adelphi Estate.

No. 10.

Sir, Government House, St. Vincent, 30 May 1833.

I have the honour to forward to you the accompanying Circulars (together with a copy of them for your own perusal) to be delivered to Major Reid, who will convey them to the individuals to whom they are addressed.

Major Reid will be accompanied by one of my aides-de-camp, and will lose no time in carrying into effect the instructions which he has received from me.

I have, &c.

To Lieut.-Colonel Sir Charles Cayler, Bart. (signed) *Geo. Tyler.*
Commanding His Majesty's Troops, &c. &c. &c.
Fort Charlotte.

No. 11.

Sir, Government House, St. Vincent, 30 May 1833.

I have forwarded to Sir Charles Cayler, the commanding officer of His Majesty's Forces in this Colony, eight circulars, to be delivered to you. They severally contain the substance of our communication yesterday, and at that interview I so fully explained my reasons for selecting you for the purpose of conveying them to the individuals to whom they are addressed, that I need not, on the present occasion, recapitulate them; but trusting to your well-known zeal and judgment, I have the fullest confidence and assurance that you will carry into effect without delay the objects of my intentions.

Lieutenant-Colonel Taylor, one of my aides-de-camp, will accompany you, and be subject to any orders you may think fit to give him.

I have, &c.
(signed) *Geo. Tyler,*
To Major Reid, Royal Engineers, &c. &c. &c. Lieut.-Gov. and Commander-in-Chief.
Fort Charlotte.

Sir, Government House, St. Vincent, 4th June 1833.

I had the honour of forwarding to your Excellency on the 1st instant, a detailed account of various proceedings that had taken place in this Government at the latter end of last month, in consequence of an appearance of insubordination amongst some of the negroes in the Windward and Charib districts of the Island, together with copies of correspondence and other documents relative thereto.

I have now the honour further to transmit to your Excellency, a copy of a Report from Major Reid, on his return from his mission to the several disturbed estates, and also of two Letters, which that Report in my opinion called for; the first appointing three magistrates to hold a petty session weekly upon the most disorganized estates to windward, and the other to the proprietor of that estate, to acquaint him with the step I had taken.

These various measures will, I trust, be fully adequate to bring the negroes back to their former habits of industry and obedience. There are other measures, however, adverted to in Major Reid's Report, viz. the establishment of a military force at Grand Sable, the organization of the Charibs into a useful auxiliary body, &c. &c., which will demand, and

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on which I shall bestow, the most serious consideration; and while I shall take an early opportunity of communicating my own sentiments upon them to your Excellency, I shall be happy to receive any suggestions or instructions you may think proper to convey to me.

I have, &c.
(signed) *Geo. Tyler.*

To His Excellency
Major-General Sir Lionel Smith, K. C. B.
&c. &c. &c.

Sir, St. Vincent, 2d June 1833.

In obedience to your Excellency's commands, I have visited the estates of the eight gentlemen in the Charib country and windward part of the Island, in company with your Excellency's aide-de-camp, Colonel Taylor, and I read your circular to the assembled negroes at each of their estates. The evidence previously taken by the magistrates, shows that although seven of these estates had fallen off in their duty to their master, the conduct of the negroes in Lot 14 alone was mutinous, and as we proceeded, we found this confirmed.

The proprietor of Lot 14, Mr. Cummings, met us at Grand Sable estate, and arranged the time of assembling his negroes, and although I was led to believe that they were in a state of great indiscipline, arising from their master's great kindness, accompanied with a determination not to punish, I did expect that they would have obeyed their master's orders to assemble to hear your Excellency's circular letter read. But this was not the case. A few men, with the women and children, only came, whilst the stoutest young men and women, when called in from their work for the occasion, went to their houses (close to the place of meeting) and would not come out until I interfered, by commanding the overseers of the estate to go and bring them, causing a list to be made, which I gave to the proprietor. After they were thus assembled, and I had assured them that your Excellency would maintain proper discipline, I commanded a silent hearing of your circular letter to their master, but when I commenced reading it, a negro came forward into the half circle formed, making antic gestures, and using words not distinctly heard, which caused me to stop and ask Mr. Cumming to place him in irons. He put him in the stocks, and in the afternoon brought him before a bench of magistrates, who have punished him.

At all the other estates, your Excellency's circular was received respectfully.

It appears to me that the evil effect of the insubordinate state of the negroes on Lot 14, is not confined to the property of Mr. Cumming, but that it has extended its influence, and if suffered to continue, may seriously affect the Island generally.

In further obedience to your Excellency's commands, I consulted with the proprietors regarding a post for troops, in case your Excellency should think it proper to send a detachment to that part. Major Crichton pointed out an unroofed store on the beach at Grand Sable, which, with some additions, might be made a convenient barrack for a company, and preferable at present to Mount Young, because there is water at hand, and provisions can either be landed opposite to it, or conveyed from the Grand Sable Jetty on a flat road.

Having reported upon the points which my attention was more immediately directed to, I think it proper to mention that the gentlemen of the country I have been in, complain that when the magistrates sentence persons to the tread-mill at Kingstown the punishment is not properly carried into execution by the keeper, which embarrasses the magistrates in the execution of their duty.

An idea was suggested to me by Mr. Macleod of Turama, (the gentleman who lives the nearest to the Charib settlement in the north) that the Charibs might be made much use of, in cases of trouble arising among the negroes, if they had something to lose in case of misconduct, which suggestion I think worthy of your Excellency's consideration.

In passing the Union estate, I found the ammunition of the militia was collected there, and without protection, which would be better, I think, divided among the men, who should be held individually responsible for the safety of their respective portions.

Having met a slave carrying his master's accoutrements to the place of assembly, at a distance of several miles, I could not help being struck with the custom at a time when I had been sent by your Excellency in consequence of disorders among the slaves, and I had afterwards some conversation with the militia officers, on the subject of rather going as some of the American militia go to muster, mounted, and in this way, I believe, they are enabled to make long and very rapid marches.

His Excellency Captn Tyler,
Lieutt-Governor.

I have, &c.
(signed) *Wm. Reid*, Major Rl Engineers.

Gentlemen, Government House, St. Vincent, 3d June 1833.

As it appears to his Excellency the Lieutenant-Governor to be highly important and essential that a system of strict vigilance should be adopted towards the negroes on Lot 14 estate, the property of Mr. Alexander Cumming, and that the utmost promptness should be used in repressing, and punishing where necessary, any disorders and misconduct on their part, I am commanded by his Excellency to desire that you will assemble in petty session upon that estate once in every week, or oftener if necessary, to hear and decide upon any complaints respecting their behaviour, and that you will make a weekly report of the proceedings before you.

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Although the state of the negroes on Lot 14 estate calls for this measure particularly with respect to them, his Excellency relies upon your judgment and discretion to adopt it in any other case where you may consider it expedient.

I have, &c.

The Rev. T. A. Browne, J. P.
Major Patrick Crichton, J. P.
James Sutherland, esq. J. P.

(signed) *S. Osborne Gibbes*, Govt Secy.

Sir, Government House, St. Vincent, 3d June 1833.

The Report I received last night from Major Reid relative to the conduct of the negroes upon your property, convinces me that immediate measures must be taken to check the highly mutinous insubordination which now exists. I will not dwell upon Major Reid's opinion of the cause, but the effects are evident, and most painfully so, upon the estates around you. I have therefore thought it expedient to appoint the three magistrates named in the margin, to hold a session weekly upon your estates, Lot 14, for the purpose of inquiring minutely into the conduct of the negroes, exercising all their powers and authority where necessary, and reporting to me the issue of such investigations.

Rev. T. A. Browne, J. P.
Major Pat. Crichton, J. P.
J. Sutherland, esq. J. P.

I trust, Sir, it is needless for me to impress upon your mind the duty of every individual of this community who is placed in authority, enforcing to the utmost, and more particularly at the present crisis, a due respect for the laws, as well as a ready and willing observance of them.

I am, &c.

To Alexander Cumming, esq. (signed) *Geo. Tyrel.*

— No. 255. —

No. 255.

Copy of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 20th August 1833.

I have received your Despatch of the 1st July last, covering the information sent to you by Captain Tyler, Lieutenant-Governor of St. Vincent, respecting the insubordination which has recently existed among some of the slaves in that Island, and the measures which have been taken to repress it.

I am happy to express my approbation of the course which Captain Tyler has adopted on this occasion, and I entertain a confident hope that the temperate yet firm spirit in which he has enforced obedience to the existing laws, combined with the military precautions which have been taken, will preserve the tranquillity of the Island during the interval which must elapse before the slaves are to enter upon their new condition.

I feel it my duty to call your attention to the remarks in Major Reid's Letter to Captain Tyler, of the 2d June last, respecting the unprotected state of the ammunition of the militia, and the practice of permitting the slaves to carry their masters' arms and accoutrements to the place of assembly.

These defects in the militia arrangements might, in the present state of the Colony, be productive of the most serious and even dangerous consequences; and I trust you will lose no time in suggesting and enforcing proper regulations on this subject.

I have, &c.

(signed) *E. G. Stanley.*

— No. 256. —

No. 256.

Extract of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*, dated Government House, Barbadoes, 20 November 1833.

I am sorry to lay before you, in the accompanying correspondence, a violent protest from the Assembly of St. Vincent's, against the Abolition Act.

Enclosures in No. 256.

Enclosures in No. 256.

Sir, Government House, St. Vincent, 5 November 1833.

I have the honour to forward to your Excellency, copies of the communications which have passed between the Houses of Legislature of this Island and myself, upon their being summoned on the 15th ult., for the purpose of laying before them the Slavery Abolition Act, which had passed the Imperial Parliament and received the Royal Assent.

The House of Assembly have thought proper to pass a protest against the Act for the Abolition of Slavery. This measure, absurd and unwise as it is, was, I am informed, adopted in consequence of instructions from some party at home, who conceived that unless such a step was taken as a precautionary mode of proceeding, they could not hereafter expect

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to receive any additional compensation for whatever loss they may sustain by carrying int effect the present Act.

I am happy to observe, that the Council refused to concur in the protest, and I am inclined to believe, that in future the Members of the Assembly will fully act up to the sincere determination they express of supporting such plans as may from time to time be proposed to them by His Majesty's Government, and to assist in carrying safely into effect the Abolition of Slavery in this Colony.

I have, &c.

His Excellency Major-General Sir Lionel Smith, K.C.B. &c. &c. &c. (signed) *Geo. Tyler.*

(Signed, " Geo. Tyler.")

THE Lieutenant-Governor has the honour to transmit to the honourable House of Assembly, an Act for the Abolition of Slavery throughout the British Colonies, which received His Majesty's assent, and passed into a law on the 28th of August, and likewise a copy of a Proclamation forwarded by the Secretary of State for the Colonies, and approved by His Majesty in Council. The Lieutenant-Governor begs to inform the honourable House, that this Proclamation was issued ond promulgated in this Island on the 9th instant.

It would be impossible for the Lieutenant-Governor himself to convey in terms sufficiently explicit the measures which His Majesty's Government propose to adopt, in order to give complete effect to the Act as now passed; he has therefore enclosed a copy of a circular Despatch from His Majesty's Secretary of State, which distinctly explains those points, and gives every information upon a subject so important to all classes of society within this Colony.

The Lieutenant-Governor feels assured, that it is not necessary to call the attention of the honourable House to that part of Mr. Stanley's Despatch, which states that " His Majesty's Government will not only admit, but will invite and weigh with all care, such observations as they (the drafts of the proposed Orders in Council) may call forth, and such suggestions as any persons may be disposed to make for the improvement of their projected regulations." With this understanding, and a sincere determination on the part of the Legislature of this Colony to co-operate with His Majesty's Government, the Lieutenant-Governor cannot but look with confidence to the future prosperity and tranquillity of this valuable possession of the Crown.

Government House, St. Vincent, 15 October 1833.

To his Excellency *George Tyler*, Esq. Captain in the Royal Navy, &c. &c. &c.

Sir,

THE Board of Council has the honour to acknowledge the receipt of your Excellency's message of this date, accompanied with a copy of a circular Despatch from the Secretary of State for the Colonies, a copy of the Act of the Imperial Parliament, for the Abolition of Slavery throughout the British Colonies, &c. to which that Despatch refers, and a copy of a Proclamation by His Majesty on the same subject, which your Excellency has caused to be proclaimed in this Colony.

The Board views with great satisfaction the honourable sentiments of the Colonial Secretary, relative to the legislature of these Islands, and hopes to prove to your Excellency, when the final instructions shall have arrived, that its attention will be devoted to the interests of the Colony, and the furtherance of the intentions of His Majesty's Government, as far as can be practically adopted with beneficial effects.

St. Vincent, 15 October 1833. (signed) *John Peterson*, President.

Sir, House of Assembly, 17 October 1833.

I HAVE had the honour to lay before the House of Assembly your Excellency's message of the 15th instant, together with the circular Despatch of Mr. Secretary Stanley, and I am commanded to transmit to your Excellency, the accompanying Protest against the Act of the Imperial Parliament of Great Britain, for the Abolition of Slavery throughout the British Colonies; at the same time to assure your Excellency that, notwithstanding this precautionary mode of proceeding, there is a sincere determination on the part of the Assembly to give their best support to such plans as may from time to time be proposed by the supreme Government at home to carry safely into effect the Abolition of Slavery in this Colony, and to lay the foundation of future industry and prosperity, without, however, incurring in the remotest degree any portion of the great and fearful responsibility of a measure which will introduce such hazardous changes into the various relations of society.

I have, &c.

His Excellency the Lieutenant-Governor, &c. &c. &c. (signed) *J. P. Ross*, Speaker.

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The Solemn Protest of the Assembly of *Saint Vincent* and its Dependencies, against the Bill for the Abolition of Slavery.

Actuated as we have always been by those feelings of attachment towards the mother country, which has so long formed the proud characteristic of the British West Indies, no less than by feelings of the most devoted loyalty towards the person of our gracious Sovereign, and anxious as we have always expressed ourselves, both in words and action, by the adoption of wise laws and opportune measures, gradually and safely to ameliorate the condition of our people, to reform their habits, to improve their morals, and to give them that religious instruction, which would best fit them for the station they would hereafter be called upon to fill in society, and ultimately to insure their emancipation; it is with feelings of the deepest concern and disappointment we learn, that the British Parliament, unmoved by our representations, and expressing a distrust in our professions, has determined upon the hasty, ill-advised and crude measure which has been officially communicated to us.

It would be needless, after so ample a discussion as this subject has received both at home and abroad, to state the tenure by which we hold these properties; the charters which secure our rights; the repeated and numerous Acts of the British Legislature, which confirm our claims; the striking and important fact that, in a variety of instances, not only the lands, but even the slaves themselves, have been purchased from the British Government. It would be needless now to state the value of these possessions; of the seven millions of revenue which they contribute to the mother country; of the four millions and a half derived from thence, supporting through these various and complicated ramifications so vast a body of merchants, manufacturers and tradesmen; of the 240,000 tons of shipping employed; of the thousands and tens of thousands of seamen maintained, forming the most valuable nursery for that branch of the British service, its marine, on which its glory and safety so mainly depend. It would be needless, because the fiat of the Imperial Parliament of England has already gone forth, and we must bow with due submission to its decree, conscious of our weakness and impotency to resist its authoritative mandate.

Yet we are conscious at the same time of the justice of our claims, conscious of our integrity of purpose, conscious of the efforts we have used, and which the repeated and very recent Acts of our Colonial Legislature so clearly evince, of our sincere intention, cautiously, judiciously and gradually to effect a change, so momentous and so complete, we profess no intention to resist the strongly expressed wishes of the British nation; on the contrary, we profess our readiness and willingness to meet the subject fairly and honestly, to give the measures of Government our serious and earnest consideration, and to co-operate so far as in us lies in carrying these measures into effect.

But at the same time we must and do solemnly protest against this undue invasion of our rights. We do solemnly protest against it as a hasty and ill-advised measure, which not only places in jeopardy the property, which (according to an appraisement now in progress) exceeds four millions sterling in value in this Colony alone, but whilst it endangers the life of the owner, is calculated to destroy the interests, the comforts and the well-being of the slave himself, for whose benefit this measure is professedly intended. We do solemnly protest against it as a dangerous precedent;—dangerous as not only affecting our chartered rights, but sapping the foundation of those of our fellow countrymen in every quarter of the globe. We do solemnly protest against it as a partial measure; a measure which ought only to have been adopted in conjunction with the other states of Europe, who are already rejoicing at the short-sightedness of our policy, and are even now pluming themselves upon the prospects which it presents of immediately exalting themselves upon our ruin. And by what means? By reviving in its full force, and encouraging to an almost inconceivable extent, that odious traffic, which it has been for so many years the benevolent aim of the British Government to prevent, and which has so long been happily banished from our own shores. We do solemnly protest against it, as establishing a ruinous system, which not only renders it imperative upon the owner to continue, in their fullest extent, all those privileges, indulgences and allowances, which his slave has hitherto enjoyed, but gives to his apprentice so large and unreasonable a portion of time, as will render it impracticable for his master to continue the profitable cultivation of the soil; at the same time it will superinduce in himself such habits of indolence, vagrancy and insubordination, as will render him still more unfit for a state of freedom, at the conclusion of his apprenticeship, than he is at the present moment. We protest against it as a measure which, in granting to a third person the right of continued interference between the master and his servant, teaches the latter to look up to some other power for protection and support; and is thus calculated to destroy all those kind feelings of attachment, mutual interest and dependence, which have hitherto subsisted. We protest against it as taking away all authority and wholesome control from the master, whom it has already deprived of the means of the possibility of reward, and substituting in their place a power totally insufficient to maintain order, or to enforce the performance of duty. And above all, we do solemnly protest against the inadequacy, as well as the uncertain mode and period of the payment of the compensation held out to us, and which amounts not, in a majority of cases, to one-tenth part of the value of the properties we possess.

Disclaiming, therefore, all responsibility attending this untried, and we fear impracticable scheme, we reserve to ourselves the right of demanding from the British nation a full compensation for the losses we may ultimately sustain.

A true copy from the Journals.

House of Assembly,
17 October 1833.

(signed) *P. Hobson*, Clerk of Assembly.

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No. 257.

— No. 257. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 13th January 1834.

I HAVE the honour to acknowledge the receipt of your Despatch, dated the 20th November last, enclosing a copy of a Letter addressed by the Lieutenant-Governor of St. Vincent to yourself, together with copies of the communications which had passed between the Houses of Legislature of that Island and the Lieutenant-Governor, upon their being summoned for the purpose of having laid before them the Act for the Abolition of Slavery.

I have to request you to instruct Lieutenant-Governor Tyler to convey my thanks to the Council of St. Vincent, for their promise to devote their attention towards the furtherance of the objects of His Majesty's Government upon this important subject, and at the same time to communicate to the Assembly of that Colony my satisfaction at perceiving that, notwithstanding the protest which they have felt it their duty to make on this occasion, they have expressed a sincere determination to give their support to such measures as may be necessary to carry into effect the Abolition of Slavery in the Island of St. Vincent.

I have, &c.
(signed) *E. G. Stanley.*

No. 258.

— No. 258. —

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 28th May 1834.

I HAVE the honour to transmit herewith, for His Majesty's gracious allowance, the transcripts of two Acts, which have been passed by the Legislature of St. Vincent, intituled,—

No. 308.—" An Act for the Abolition of Slavery, in the Island of St. Vincent and its Dependencies, in consideration of Compensation, and for promoting the industry and good conduct of the manumitted Slaves."

No. 311.—" An Act to provide for the general Registration of all Slaves belonging to or settled in these Islands."

Act Printed in the Appendix (B.) No. 43.
Act Printed in the Appendix (B.) No. 44.
No. 6. 20 May 1834.

With reference to the Act for the general Registration of Slaves, I have the honour to enclose for your consideration, a copy of a Letter from the Lieutenant-Governor of St. Vincent, in reply to some objections which I felt it necessary to point out, in authorizing him to assent to the Bill, and which will be found detailed at length in the Lieutenant-Governor's Despatch.

I have, &c.
(signed) *Lionel Smith.*

Enclosures in No. 258.

Enclosures in No. 258.

Sir, Government House, St. Vincent, 20th May 1834.

I HAVE the honour to acknowledge the receipt of your Excellency's Despatch, conveying instructions to me to assent to the Act passed by this Legislature, for the general registration of all slaves within this Colony.

Your Excellency remarks, however, " that the third clause of the above Act, is at variance with the 4th clause of the British Act for the Abolition of Slavery, inasmuch as the registration of occupation should be according to the occupations of the slaves, for 12 months previous to the passing of the British Act, and not for the period, previous only to the 1st of June next, as enacted by the clause in question."

I could fully appreciate the force of your Excellency's objection to the clause, if the proprietor had been called upon to classify his slaves, as well as to return their occupations; and to prove to your Excellency, how sensible I was of the bearing of the fourth clause of the Imperial Act, I herewith transmit a copy of my communication to both branches of the Legislature, on returning the Registration Act for reconsideration, in consequence of their having introduced in the original Act the word " classes" after that of " occupations," which undoubtedly, if not expunged, would have been at variance with the Imperial Act, but I apprehend that a mere return in the registration of the general occupations of slaves at the present moment within this Colony, will not be considered as very material, either at home or by your Excellency, when it is divested of any views as to their ultimate classification.

I have, &c.
(signed) *Geo. Tyler.*

His Excellency Sir Lionel Smith, K. C. B.
&c. &c. &c.

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(Copy.) Government House,
(Geo. Tyler.) St. Vincent, 17th April 1834.

The Lieutenant-Governor has convened the present meeting of the Legislature, from an anxious desire of affording the earliest opportunity of completing the Police Act now in progress, and of insuring an immediate re-consideration of the Act recently passed for the registration of slaves in this Colony.

In the second clause of that Act, an authorized power is vested in the registrar of slaves, inasmuch as he is directed to make a return of the names, sexes, ages, occupations and classes of all slaves within this Colony.

The duty of classing the slaves according to the Imperial Act for the Abolition of Slavery, is confined solely to the Commissioners for Compensation. The Lieutenant-Governor is persuaded, therefore, he has only to point out this discrepancy, to obtain for it the immediate attention and consideration of both branches of the Legislature, as also to recommend that the period fixed by the same Act for the returns of slaves to be made by the registrar, should be extended beyond the 30th of the present month.

The Honourable the President of H. M. Council,
And the Honourable the Speaker of the House of Assembly,
&c. &c. &c.

—No. 259.—

No. 259.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 2 July 1834.

I have the honour to transmit herewith, for His Majesty's gracious allowance, transcript of an Act (No. 316), intituled, "An Act for establishing a Police for the regulation of apprenticed Labourers," &c., which has been passed by the Legislature of St. Vincent.

Act printed in the Appendix (B.) No. 45.

I have, &c.
(signed) *Lionel Smith*.

—No. 260.—

No. 260.

Copy of a DESPATCH from Lieutenant-Governor *Tyler* to Governor Sir *Lionel Smith*.

Sir, Government House, St. Vincent, 2 August 1834.

I have much pleasure in acquainting your Excellency, that the period prescribed by law for abolishing slavery throughout the British dominions has passed over in this Colony without any symptoms of riot or insubordination; indeed, I should rather say, *quite a contrary feeling has prevailed*; for from the constant reports I receive from the interior of the Island, as well as from my own personal observation, there is every proof, with few exceptions, that the great boon which has been bestowed upon the negroes has been received by them with thankfulness, notwithstanding they are puzzled as to the term "freedom" being applicable to their present state and condition.

The good understanding which has universally prevailed between master and slave in this Colony, and the many advantages enjoyed by the latter, have in my opinion mainly contributed to the confidence they now place in the system adopted for their probation. No pains have been spared or means neglected to put them into possession of every necessary information previous to the 1st of August. A few days prior to the period, a requisition was presented to me by the proprietors, to direct the stipendiary magistrates to visit each estate within their separate division, for the purpose of explaining to the negroes the law as established for their future guidance and government. To this I readily acquiesced, being anxious for an opportunity to impress upon the negroes the importance of the office of the stipendiary magistrate, as well as to state my conviction to each individual planter, that if they should persist in adhering to the resolution they had unanimously adopted of working their negroes as usual on the 1st August, that such a proceeding would cause universal dissatisfaction, and might eventually lead to the most serious consequences. I therefore urged most strenuously my recommendation that a general holiday should be observed on that day throughout the Colony. This suggestion, I am happy to say, was finally adopted, though not without many instances being evinced of opposition and reluctance. The reports made by the stipendiary magistrates after their visits through their several districts, have confirmed my opinion

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that the course taken has been productive of the most satisfactory results; I have therefore now only to hope, that the measures which have been devised for carrying the new system into operation may prove effectual, and that it may ultimately establish that blessing which has for its object the unrestricted freedom of *all* within this Colony.

I have, &c.
(signed) *Geo. Tyler.*

No. 261.

—No. 261.—

COPY of a DESPATCH from Lieutenant-Governor *Tyler* to Governor Sir *Lionel Smith.*

Sir, Government House, St. Vincent, 9 August 1834.

SINCE writing my Despatch to your Excellency of the 2d instant, I regret to say that a spirit of insubordination has evinced itself upon one estate called the Adelphi in the Island, originating from an idea that prevailed amongst the great gang that they had been worked beyond the time prescribed by law for their daily labour. This unfortunately led to a decided collision between them and the individuals called upon to enforce the law, but I am happy to say, from the prompt and decisive measures adopted by the latter, order has been restored and the delinquents punished.

I cannot omit to render every praise to the stipendiary and special magistrates who acted upon this occasion, but more particularly to the establishment of estate constables, which has in this instance evinced its most powerful efficiency. To strengthen this opinion, I venture to transcribe the terms in which they are spoken of by Mr. Grant, the proprietor of the estate in question: "the conduct of the apprentice constables was highly meritorious, and I congratulate the country in having found so effective a force."

Notwithstanding this unexpected instance of riot, I have every reason to hope that tranquillity will prevail in this Colony, and from the examples which have been made, a proper and due deference will be paid to the laws established for the government of the apprenticed labourers. It is my intention to visit this estate in the course of a few days, by which time I trust the authority of the stipendiary magistrate will be thoroughly understood.

Being unwilling to detain the mail boat, which has unexpectedly arrived, and which I am informed is charged with Despatches of importance to your Excellency from Trinidad, I am obliged to postpone forwarding a copy of the commission issued to the stipendiary magistrates of this Island.

I have, &c.
(signed) *Geo. Tyler.*

No. 262.

—No. 262.—

COPY of a DESPATCH from Lieutenant-Governor *Tyler* to Mr. Secretary *Spring Rice.*

Sir, St. Vincent, August 25, 1834.

HAVING officially communicated to the Governor-in-Chief on the 2d and 9th of the present month upon the state of this Colony since the change which had taken place on the 1st instant, and presuming that information will be forwarded to you by the present packet, I deem it my duty to take advantage of the earliest opportunity of acquainting you, that notwithstanding my report of the 9th not being so favourable as the former one, I have great satisfaction in announcing that since that period I have visited the estate upon which the disturbances took place, and by personally addressing the negroes and making an example of the ringleaders, they have been brought back to a proper sense of their duty and a cheerful performance of their work.

In every other instance the Colony has remained perfectly tranquil and orderly.

I have, &c.
(signed) *Geo. Tyler.*

—No. 263.—

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No. 263.

COPY of a DESPATCH from Lieutenant-Governor *Tyler* to Mr. Secretary *Spring Rice*.

Sir, Government House, St. Vincent, 1 November 1834.

I VENTURE to send, for your information, an abstract from the journals of the stipendiary magistrates in this Colony for the two months ending on the 30th September, giving the number of apprenticed labourers who have been guilty of any offence, the character of the offence and the punishment awarded.

This abstract will, I hope, prove satisfactorily that the amount of crime at a period like the present, in a population exceeding 20,000, is not beyond that which might be expected in one of the same extent under circumstances of less excitement.

The reports I constantly receive from both magistrates and planters, as well as my own knowledge of the facts, are most favourable as to the general conduct of the negroes in this Colony.

I have, &c.
(signed) *Geo. Tyler.*

Enclosures in No. 263.

Enclosures in No. 263.

SAINT VINCENT—WINDWARD DIVISION.

ABSTRACT of OFFENCES and PUNISHMENTS, as returned by the STIPENDIARY MAGISTRATE, from 1 August to 30 September 1834.

OFFENCES.	Males.	Females.	PUNISHMENTS. Males.	PUNISHMENTS. Females.
Neglect of duty, absence from work or being late.	7	44	-- From 15 to 20 lashes, two days' extra labour, 14 days' hard labour on tread-mill.	-- Reprimanded; from four hours to three days' extra labour; from three to seven days' hard labour on tread-mill; three individuals fined one dollar each.
Disobedience of orders	2	9	-- Two days' extra labour.	-- From one to two weeks' solitary confinement; seven days' hard labour on tread-mill; three fined one dollar each.
Riotous or insubordinate conduct, or insolence.	19	21	-- Thirty-five lashes and three days' extra labour; 45 lashes and four days' extra labour; 30 lashes and six months' hard labour on tread-mill (subsequently remitted).*	-- From four to seven days' hard labour on tread-mill; four days' extra labour on estate; seven days' solitary confinement.
Runaways or vagabonds	7	2	-- From two to four weeks' hard labour in penal gang; one to two weeks' hard labour on tread-mill; 30 lashes.	-- One week's hard labour on tread-mill.
Theft - - -	8	3	-- Ten days' solitary confinement; two to four weeks' hard labour on tread-mill; 25 lashes.	-- From two to four weeks' hard labour on tread-mill.
Miscellaneous - -	1	–	-- Fourteen days' hard labour on tread-mill and ten days' extra labour.	
	44	79		

* These punishments were awarded on the Adelphi Estate, where a great degree of insubordination had existed, as reported to the Governor-in-Chief in a letter from the Lieutenant-Governor of St. Vincent, dated 9 August.

Two offences against apprenticed Labourers committed in the above period by Overseers, punished by fines of six dollars and four dollars respectively.

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SAINT VINCENT—Southern Division.

ABSTRACT of Offences and Punishments, as returned by the Stipendiary Magistrates, from 1 August to 30 September 1834.

OFFENCES.	Males.	Females.	PUNISHMENTS. Males.	PUNISHMENTS. Females.
Running away - -	16	5	- - From one week to one month hard labour on tread-mill; 25 to 30 lashes; one month tread-mill and 30 lashes; two months tread-mill and 39 lashes.	- - From three to seven days' hard labour on the tread-mill; one month hard labour in the penal gang.
Idleness, absence from work, or being late.	20	18	- - From two days to one week; two weeks or four weeks' hard labour on the tread-mill; 10 to 25 lashes.	- - Twelve hours to two days' extra work; three days to one week, tread-mill; one week hard labour in penal gang.
Abuse or impertinence	8	7	- - One week to one month, tread-mill; 15 lashes.	- - Three days to one week, tread-mill; one fined 1½ dollar.
Theft - - -	7	2	- - Three days, tread-mill; 20 to 45 lashes; fine of 4s.	- - Two weeks' hard labour on tread-mill.
Miscellaneous - -	15	7	- - One day's confinement in stocks; three days' extra work; three days to one month, tread-mill; 15 to 20 lashes.	- - Three days' confinement in stocks; three days' extra labour; two fined 1½ dollar.
	66	39		

One offence against an apprenticed Labourer, committed by a free woman in the above period, viz., striking her servant, punished by a fine of six dollars.

SAINT VINCENT—Leeward Division.

ABSTRACT of Offences and Punishments, as returned by the Stipendiary Magistrate, from 1 August to 30 September 1834.

OFFENCES.	Males.	Females.	PUNISHMENTS. Males.	PUNISHMENTS. Females.
Running away - -	9	4	- - Forty-eight hours' solitary confinement; 14 days' tread-mill; 30 lashes; in general, extra labour to repay lost time.	- - Repayment of lost time by extra labour; seven nights' confinement; ten days' tread-mill.
Disobedience, impertinence or insubordination.	8	5	- - Solitary confinement as far as 14 nights and noons; 12 to 40 lashes.	- - From one to 14 nights' confinement; 10 days' tread-mill.
Idleness, neglect of duty, or coming late to work.	9	11	- - Extra labour to repay lost time; solitary confinement from two to seven days; seven to 10 days' tread-mill.	- - Extra labour to repay lost time; two nights' solitary confinement; seven days' tread-mill.
Theft - - -	3	1	- - Ten to 14 days' tread-mill; 30 lashes.	- - Six weeks' tread-mill.
Quarrelling and assaults	8	2	- - Reprimanded; solitary confinement; 25 to 35 lashes.	- - Extra labour 1½ day; 10 days' tread-mill.
Miscellaneous - -	3	3	- - Compromised; one week, tread-mill; one ditto and 30 lashes.	- - Solitary confinement four nights; four days' tread-mill; 14 days' tread-mill.
	40	26		

Three offences against apprenticed Labourers in the above period, committed by Overseers, punished by fines of six dollars, two dollars and four dollars respectively, and one by a free woman by a fine of eight dollars.

— No. 264. —

COPY of a DESPATCH from Lieutenant-Governor *Tyler* to Mr. Secretary *Spring Rice*.

Government House, Saint Vincent,
Sir, 27 January 1835.

WITH reference to a circular of the 30th September, wherein my attention is directed by His Majesty's Secretary of State for the Colonies to the subject which the great change in the condition of the negro population in His Majesty's Colonies must necessarily lead to, as regards not only the system of cultivation, but the general pursuits of industry, and requesting me to express my opinion as to the probable effect which free labour and the apprenticeship of the negroes is likely to produce upon the pursuits of profitable industry, I have attempted in the following remarks to communicate my ideas upon a subject which embraces so many points dependent upon future circumstances, that it is impossible at present to form any correct judgment respecting them; but however speculative the opinions may appear, I still trust they may prove in some degree beneficial to the interests of this Colony, and of advantage to the Mother Country.

1st.—The present state of productive industry in this Colony bears a relative proportion to the force employed. This will be seen by the annexed table, which shows the number of apprenticed labourers appraised on the 1st of August last; the average amount of produce raised for the last five years, as well as that of the exports and imports for the same period. This will however not include the articles raised for consumption, which consist chiefly of what are designated ground provisions, such as yams, cassava and other esculent roots. These, together with the fruits indigenous to tropical climates, comprise the chief of the produce raised for consumption. Sugar and arrow-root are consumed, but in a trifling proportion; rum is generally used to a great extent.

2d.—It is difficult, at so early a stage of the great experiment, to form any sound opinion upon the possible changes which may be produced by the Abolition of Slavery on the agricultural, manufacturing and commercial system of the Colonies; but if I may venture to predict from the present aspect of affairs in this Colony, I should say there is no apparent cause to suppose that productive labour will be diminished, provided that well-regulated and proper municipal laws are in time established to ensure its continuance. To this subject of paramount importance, the early attention of the local legislatures should be directed, aided and assisted by well-digested recommendations from the Home Government. These conclusions have principally suggested themselves from the practical evidences which I see daily occurring in this Island, where the apprenticed labourers have not only entered into specific agreements for wages, which have been duly recorded by the stipendiary magistrates, but in many instances they are hiring themselves out, or to their masters, to work during their own time in the cultivation of the sugar cane, for wages averaging about 8*d.* sterling per day.

Notwithstanding the encouraging hopes held out to us by such conduct, I am not so sanguine as to suppose that sugar, the staple commodity of the West Indies, ever can be cultivated hereafter, to the extent it has been under the system of slavery. There can be no doubt, if proprietors could be brought to a just sense of their own interests, that the lands now occupied under forced culture of the cane might be rendered available to other productions more congenial to the soil, of a nature less expensive in cultivation, and in the end more advantageous to the proprietor. To establish this conviction, or indeed any principle for the future, so as to guard against the loss of property, much must of course depend upon the judgment and perseverance of the proprietors themselves; but, whatever may be the cause, this Colony has to regret, in common with all the others in the West Indies, not only the general absence of proprietors, but the little anxiety which is evinced, or efforts made to introduce those improvements in agriculture which must eventually be beneficial to their interests. I cannot but contemplate with anxiety the future state of proprietors, if they continue to resign, as at present is the prevailing custom, the entire control and management of their estates to attornies or managers, whose interests or dispositions to improve property cannot be expected to equal that of a resident proprietor. In offering these opinions, I do not look

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to the preservation of property alone, but I take a more extensive view of the influence such residence would produce upon the general internal government of a Colony, as well as the security it would afford to the Mother Country in these valuable possessions.

3d.—In pointing out the remedies by which existing evils might be corrected, that are obstacles to general improvement, or tend to impede the extension of commercial intercourse, I would submit one circumstance, which, in my opinion, is at the present time deserving the immediate attention of His Majesty's Government. I allude to the ruinous system of the circulating medium of currency, which prevails in this Colony and throughout the West Indies to an extent which not only tends to destroy commercial intercourse, but virtually to establish separate interests. To obviate this evil, I had prepared, at the express wish of the Legislature, a proclamation for the purpose of establishing a circulating medium of sterling value within this Colony, at the rate of 4*s.* 4*d.* sterling to the Spanish dollar, the value placed upon that coin by an order of His Majesty in Council, bearing date the 23d March 1825, in lieu of the fictitious one now in existence; but on forwarding it to the Governor-in-Chief, I was given to understand that His Majesty's Government had under consideration some measure for providing an uniformity of currency throughout the Colonies. Under these circumstances all further proceedings on my part were stayed. I however transmit with this a copy of the address from the Legislature on the subject, together with that of the proclamation, with the view of showing the principle upon which it had been my intention to have recommended the measure to His Majesty's Government.

I cannot too strongly urge this subject for consideration, situated as this Colony is with respect to its monetary system. At the end of this crop, in July next, a sum of not less than eighteen thousand dollars will have to be distributed in small portions to the negroes for their extra labour. It is utterly impossible to provide for this want within the Colony; recourse must of necessity be had by proprietors to the Mother Country for British silver, the importation of which must be attended with risk, and the distribution of it with loss. So long therefore as *four shillings and four-pence sterling* (or the Spanish dollar) is called *ten shillings currency*, and that all other coins are made to bear their relative proportions to that standard, so long will the consumer be at the mercy of the retail merchant, and the American trader carry off all the specie.

4th.—In concluding the remarks, I would observe, that in promoting profitable industry, and establishing confidence in the negro, much care is necessary during the progress of his apprenticeship to wean him from his former habits of dependence, and to influence his mind with those moral and religious principles as will enable him to place a just value upon the blessings of unrestricted freedom. Upon these points hinge all our prospects with respect to the future promotion of industry, and the consequent prosperity of this Colony. It was with the view of effecting this important object, I suggested that steps should be taken in due time for establishing such municipal laws and regulations as would prove to the negro that the intention of His Majesty's Government was (aided by the local Legislatures) to place him in a situation of acquiring that interest in the soil and security in his person, as would ensure to him all the benefits and privileges attainable by any individual within His Majesty's dominions.

By these means, we may, I think, look with confidence to the greater portion of the present labouring population becoming hereafter the force to be depended upon for yielding profitable labour, and, I sincerely hope, of securing the continuance of this valuable possession as a productive appendage to the British Crown.

I have, &c.

(signed) *Geo. Tyler.*

Enclosures

Enclosures in No. 264.

SAINT VINCENT.—GENERAL ABSTRACT of the Returns of the Total Number of SLAVES within the said Colony, according to the several Classes and Values.

Total Number of Returns within the said Colony - - - 769

CLASSES.			Number of Slaves.	Estimated Value of Slaves in Sterling.
				£.
Prædial Attached	1	Head people - - - -	927	100,505
	2	Tradesmen - - - -	268	29,210
	3	Inferior tradesmen - - -	375	27,040
	4	Field labourers - - - -	7,622	741,907
	5	Inferior field labourers - -	5,605	334,979
Prædial Unattached	1	Head people - - - -	23	2,464
	2	Tradesmen - - - -	22	2,284
	3	Inferior tradesmen - - -	21	1,473
	4	Field labourers - - - -	268	25,932
	5	Inferior field labourers - -	178	10,435
Non-Prædial -	1	Head tradesmen - - -	111	13,060
	2	Inferior tradesmen - - -	101	7,477
	3	Head people employed on wharfs, shipping or other vocations -	246	27,017
	4	Inferior people of the same description - - - -	136	10,195
	5	Head domestic servants - -	949	93,520
	6	Inferior domestics - - -	1,250	76,109
Children under six years of age on the 1st August 1834 - -			2,959	87,315
Aged, diseased or otherwise non-effective - - - -			1,189	10,385
			22,250	£.1,601,307

(signed) *S. Osborne Gibbes,*
Secretary Assistant Commissioners Compensation.

SAINT VINCENT.—An ACCOUNT showing the estimated Value of EXPORTS to *Great Britain,* and all other Places, for Five Years; distinguishing the Amount of Exports to *Great Britain* from the Exports to other Places.

	GREAT BRITAIN.	BRITISH NORTH AMERICA.	BRITISH WEST INDIES.	FOREIGN PORTS.
	Sterling.	*Sterling.*	*Sterling.*	*Sterling.*
Year ended 5 Jan. 1830	433,964 15 –	22,389 10 –	23,901 12 10	1,323 11 –
„ „ 5 Jan. 1831	263,347 8 –	34,597 – –	37,564 9 2	2,536 19 11
„ „ 5 Jan. 1832	219,302 6 –	28,129 1 6	31,632 16 9	7,823 7 6
„ „ 5 Jan. 1833	212,036 4 6	33,341 12 6	30,717 1 5	9,359 1 8
„ „ 5 Jan. 1834	267,732 9 6	13,546 3 –	18,023 15 –	2,208 16 –
Total in Five Years £.	1,396,383 3 –	132,003 7 –	141,839 15 2	23,251 16 1

Custom-House, St. Vincent,
28 January 1835.

(signed) *George Huskisson,* Collector.
Sackville M. Tayler, Comptroller.

SAINT VINCENT.—An ACCOUNT showing the VALUE of IMPORTATIONS from *Great Britain,* and all other Places, for the last Five Years; distinguishing the Amount of Imports from *Great Britain,* from the Imports of other Places.

	IMPORTS from GREAT BRITAIN.	IMPORTS from NORTH AMERICA.	IMPORTS from British West Indies.	IMPORTS from FOREIGN PORTS.
	Sterling.	*Sterling.*	*Sterling.*	*Ster ng.*
Year ended 5 Jan. 1830	84,513 8 8	41,706 8 6	31,160 10 –	27,922 – 8
„ „ 5 Jan. 1831	57,135 12 8	25,088 1 11	43,282 18 –	22,801 6 9
„ „ 5 Jan. 1832	96,356 – 1	41,005 – –	61,952 2 10	53,562 6 –
„ „ 5 Jan. 1833	101,283 1 6	26,876 6 2	46,996 3 6	44,768 9 4
„ „ 5 Jan. 1834	62,069 13 –	39,001 3 4	43,101 5 6	21,767 3 3
Total in Five Years £.	401,357 15 11	173,676 19 11	226,492 19 10	170,821 6 –

Custom-House, St. Vincent,
10 December 1834.

(signed) *George Huskisson,* Collector.
Sackville M. Tayler, Comptroller.

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SAINT VINCENT.—TOTAL AMOUNT of PRODUCE made within this Colony for the last Five Years.

YEARS.	SUGAR.				RUM.	
	Hogsheads.	Tierces.	Barrels.	Equal in Pounds to	Puncheons.	Equal in Gallons to
1829 - - -	17,239	375	144	28,015,112	6,542	771,952
1830 - - -	16,468	479	435	28,805,274	7,677	909,469
1831 - - -	14,839	527	690	24,454,550	5,594	657,069
1832 - - -	13,054	588	737	21,347,828	3,631	410,646
1833 - - -	13,480	426	465	23,509,935	2,964	350,429

YEARS.	MOLASSES.		Pounds of Arrow Root.	Pounds of Coffee.	Pounds of Cocoa.	Pounds of Cotton.
	Puncheons.	Equal in Gallons to				
1829 - - -	3,973	433,531	21,250	2,572	12,216	100,965
1830 - - -	3,119	341,367	16,850	1,672	9,989	87,709
1831 - - -	3,964	436,025	3,763	1,260	7,861	55,597
1832 - - -	4,405	474,815	250	356	538	62,101
1833 - - -	5,800	641,649	5,552	630	1,005	60,263

(signed) *Thomas Melville*, Treasurer.

To Lieutenant-Governor *Tyler*, &c. &c. &c.

THE members of the House of Assembly respectfully approach your Excellency, and humbly pray, that your Excellency will be pleased, by virtue of the power and authority vested in you, to review the several proclamations of the 1st January and 5th March 1818, the 20th July 1819 and the 14th January 1823, relative to the nominal value of the current coins in this Island; and if your Excellency shall be so advised, to fix a sterling value in lieu thereof, in order that the Legislature may be enabled to introduce with effect certain measures for the abolition of currency, and the substitution of sterling money in the Colony.

House of Assembly,
2 September 1834.

(signed) *J. P. Ross*, Speaker.

A PROCLAMATION.

By His Excellency *George Tyler*, Esquire, &c. &c. &c.

WHEREAS his Excellency Sir Charles Brisbane, late governor of this Island and its dependencies, by his proclamation bearing date the 1st January 1818, under his hand and the great seal of this Colony, was pleased to affix a certain currency value to Portugal joes, the Spanish dollar, and certain parts of mutilated dollars; and by another proclamation bearing date the 5th day of March in the same year, also under his said Excellency's hand and the great seal of this Colony, the value of Portugal and American gold coins and doubloons, and of their aliquot parts, and also of the Spanish dollar, was further regulated, and a currency value affixed to the same. And by another proclamation, bearing date the 20th day of March 1819, also under his said Excellency's hand and the great seal of this Colony, the British coins of penny and half-penny pieces received a currency value; and by another proclamation, bearing date the 14th day of January 1823, also under his said Excellency's hand and the great seal of this Colony, the colonial coin issued by the Lords Commissioners of His Majesty's Treasury, consisting of one-quarter, one-eighth and one-sixteenth of the Spanish dollar, received a currency value: And whereas the House of Assembly of this Island, by their humble address to me, dated the 2d day of September 1834, have prayed that the said proclamations might be reviewed, and a sterling value affixed to the several coins in circulation in these Islands: And whereas I have considered that the adoption of such a measure will be highly advantageous to the prosperity and welfare of this Colony; I do therefore, by virtue of the powers and authorities in me vested, issue this my proclamation, and I do declare that on the 1st day of January 1835, so much of the provisions of the said several proclamations of the 1st January and 9th March 1818, the 20th July 1819, and the 14th January 1823, as are now in force, shall be and become revoked, void and of none effect; and on, from and after the said first of January, the currency denomination and value of all coins of every description in circulation in these Islands shall cease and determine. And I do further declare, that on, from and after the 1st day of January

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January 1835, the Spanish pillared, Mexican or other South American State Dollar (the Carolus dollar only excepted) shall pass and be received in payment at the rate of 4*s.* 4*d.* sterling, and the half, quarter, eighth and sixteenth parts thereof, at the rates of 2*s.* 2*d.*, 1*s.* 1*d.*, 6½*d.* and 3¼*d.* sterling respectively. And that the Carolus dollar shall pass and be received in payment, at the rate of four shillings sterling, and the half, quarter and one-eighth parts thereof, at the rates of 2*s.*, 1*s.*, and 6*d.*, sterling respectively. And that the Spanish pistareen shall also pass and be received in payment, at the rate of 10½*d.*, and the half pistareen at 5¼*d.* sterling respectively. And that the value of the Colonial quarter, one-eighth and one-sixteenth parts of a dollar, shall respectively be 1*s.* 1*d.*, 6½*d.* and 3¼*d.* sterling.

And I do further declare that the doubloon of any state weighing 17 dwts. and eight grains, shall pass and be received in payment at the rate of 3*l.* 9*s.* 4*d.* sterling each, and the half doubloon at 1*l.* 14*s.* 8*d.*, the quarter at 17*s.* 4*d.*, the eighth at 8*s.* 8*d.*, and the sixteenth at 4*s.* 4*d.* respectively. And that the Portugal unplugged joe of 22 carats fineness, shall pass and be received in payment at four shillings sterling per pennyweight, and the American gold joe at 3*s.* 6*d.* sterling per pennyweight.

And I do further declare, that on, from and after the 1st day of March 1835, the circulation of the colonial coins called stampees and dogs, shall wholly cease and determine.

In witness whereof, &c. &c.

—No. 265.— No. 265.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen.*

My Lord, Government House, Barbadoes, 11 February 1835.

I have the honour to transmit herewith, for His Majesty's gracious approval, transcript of an Act (No. 318.) of the Legislature of St. Vincent, intituled, "An Act to repeal the Twenty-first and Twenty-second Clauses of an Act, intituled, 'An Act for establishing a Police for the Regulation of apprenticed Labourers, &c.'"

Printed in the Appendix (B.) No. 46.

I have, &c.

(signed) *Lionel Smith.*

—No. 266.— No. 266.

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith.*

Sir, Downing-street, 30 June 1835.

AN Act passed by the Legislature of St. Vincent's, in the month of December last, intituled, "An Act to repeal the Twenty-first and Twenty-second Clauses of an Act, intituled, 'An Act for establishing a Police for the Regulation of apprenticed Labourers, &c.'" having been referred by His Majesty in Council to the Lords of the Committee of Privy Council for Trade and Foreign Plantations, that Committee have reported to His Majesty their opinion, that this Act should be left to its operation; and I have the honour herewith to transmit to you an order of His Majesty in Council, approving that report.

I have, &c.

(signed) *Glenelg.*

—No. 267.— No. 267.

Copy of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith.*

Sir, Downing-street, 30 March 1835.

THE time is now arrived when I feel myself able to communicate to you the results of my consideration of three Acts, passed by the Governor, Council and Assembly of the Island of St. Vincent respectively, in the months of April, May and June last, intituled,—

"An Act for the Abolition of Slavery in the Island of St. Vincent and its Dependencies; in consideration of Compensation, and for promoting the industry and good conduct of the manumitted Slaves." No. 308. 2d April 1834.

"Act for establishing a Police for the Regulation of apprenticed Labourers, and for carrying into effect certain provisions of the above-mentioned Act." No. 316. 23d June 1834.

"Act to provide for the general Registration of all Slaves, belonging to or settled in these Islands." No. 311, 19th May 1834.

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These are the laws by which the Legislature of the Island of St. Vincent propose to give effect to the Act of the British Parliament, for the Abolition of Slavery. They embrace two general objects, of which the first is the adoption and re-enactments of the provisions of the Imperial Act; the second, the introduction of such subsidiary rules as Parliament have called upon the Assemblies to frame, in order to render the law of abolition effectual and safe.

In the remarks which I have to make, I shall endeavour to follow a similar division of the subject.

In the fourth section of the Act No. 308, the definition of a prædial apprenticed labourer, as given by Parliament, describing him to be such a person as shall have been for twelve months before the date of the Act habitually employed in agriculture, or in the manufacture of colonial produce, is augmented, in the local Act, by the words, " or employed in prædial labour." Though I am not in possession of any substantive reason which may have recommended this amplification, I conceive its objects could only be to obviate the possibility of difficulties which might from time to time arise, by reason of the great variety and ambiguous character of occupations which are embraced in the arrangements of West Indian properties; and even although it may perhaps be thought that this addition does not increase the perspicuity of the description, I do not mean to enter any formal objection against it.

The 9th section of the British Act requires the written consent of at least two special justices, to authorize the removal of apprentices from the soil to which they may be attached. The Act of Assembly declares the assent of one to be sufficient; again, Parliament in no case permits removal where the separation of husbands and wives or parents and children would be the consequence.

To this rule the Assembly have added the words, " except with the consent of the party to be removed." Reverting to the intentions of Parliament, with reference to this specific provision in the British Act, I cannot for a moment doubt, that it was contemplated to preserve during the apprenticeship, the conjugal, filial and parental relations from any disruption, in so far as that object could be obtained by legal enactments; and with reference to the former of these alterations, I think it well to apprize you, in the name of His Majesty's Government, that unless there be stated some positive reason to the contrary, the local Act ought to conform to the provisions of the Imperial Act, and the consent of two special justices to be required for removals; while as respects the latter, it is still more unequivocally clear that the proposed permission to separate apprentices standing to one another in the relations above enumerated, would, in a material point, intercept the intentions of the British Legislature. The same remarks will apply to the 13th section of the local Act, which refers to the breaking up of families upon descents and alienations. The principle of alteration is in both cases the same, and in both I deem it objectionable.

In the 22d section of the local Act, I find it declared, that apprenticed labourers are to be entitled, from the 1st of August 1834, to all the rights and privileges of free persons, " except as the same may be restricted by this or any other Act." I do not know that the direct signification of these terms contains in it any thing worthy of remark, but I cannot avoid suggesting that they may hereafter, in some possible contingency, be misapplied, or at least misapprehended. It might happen, and I am bound to guard against the alternative, even if improbable, that expressions of this nature might hereafter be said to constitute a sufficient intimation, that some restraints on the freedom of apprentices were contemplated in the year 1834, the enactment of which it was thought expedient to withhold to a more convenient season; I am aware, however, that as the freedom of the apprentices is materially qualified, it is natural and necessary that the declaration of that freedom should not exceed its subject; and I should suggest that the rules of equity will be observed, and the object of the Legislature duly attained, if for the words I have quoted above there be substituted some such expressions as the following, " except as the same may be restricted by this Act, or any other passed in conformity with the provisions of the Imperial Act 3 & 4 Will. 4. c. 73."

The same clause (the 22d) while denying to the apprentices the exercise of certain civil rights, does not in terms limit the force of that denial to the period of apprenticeship, but the declaration in question should be so modified as not to admit of any supposition, detrimental to the privileges of the apprentice as a freeman, beyond the term of years appointed by Parliament for the intermediate state.

The

The 25th clause of the local Act requires the apprenticeship of any child for whom its parents are incapable of providing. The 13th clause of the British Act only directs the apprenticeship of children who are not otherwise from any quarter provided with an adequate maintenance. It further enjoins that the employer shall, by the terms of the indenture, be obliged to allow reasonable time and opportunity for the religious education of the child. In both the particulars which I have noticed, I think it would be well that the terms of the local Act should be brought into conformity with those employed by Parliament.

I now come to the second general object of the Act, viz. the introduction of such subsidiary rules as are intended to give efficiency to the imperial law of emancipation, and I shall compare its provisions, under this head, with the code of regulations relative thereto which has been established by His Majesty in Council.

In sections 16, 17 & 18 of cap. 2. the order distinguishes improper complaints into three kinds, viz. the unproved, the frivolous and vexatious, and the malicious, exacting penalties in proportion to the respective degrees of culpability in each. The Act in its 35th clause substitutes for this distinction a general rule against groundless complaints. I think that even if an objection be entertained to the establishment of the threefold division, at least there is substantial use in the distinction between such complaints as are really groundless, and such as are vexatious, whether from frivolity or malice.

The clause is silent on the subject of improper complaints preferred by the employer; a grievance of by no means improbable occurrence, and one against which the local Legislature should certainly provide, if not in the present clause, in some other part of the Act. I shall presently suggest a means of securing this end.

Chap. 3d of the Order in Council provides for the division of apprenticed labourers into their respective classes. The effect of the law before me will be, that the new registries will furnish not a conclusive, but *primâ facie* proof of the servile condition of all persons registered before August 1st, 1834, and the nature of their employments. It does not appear that the alleged slave, or any one on his behalf, would have an opportunity of controverting the claimant's title to his services, or of disputing the particular kind of service ascribed to him. And further, there is no provision for summarily correcting the returns on appeal to any judicial authority. These deficiencies are supplied in the Order in Council, and should also be supplied by the Legislature of St. Vincent.

Sect. 15 of the same Act, No. 308, allows to the labourer, in the words of the Slave Law of December 1825, "a sufficient portion of land adapted to the growth of provisions; two pounds of salt fish daily, and eleven days annually to be deducted from the 45 hours per week." The Slave Law granted 26 days over and above the Sundays for the cultivation of such grounds, to which were to be added four annual holidays. I do not conceive that 104 lbs. of salt fish can be considered a real equivalent for 19 full days; and although it was not the intention of Parliament to exact from the Colonial Legislatures any legal addition to the provisions, or time in lieu of provisions, allowed under the Slave Law to apprentices, it was their unequivocal resolution that they should be maintained at their full amount; and this enactment must be referred back to the Assembly in order that the scale may be so adjusted as to secure the apprentice, either the full time which he enjoyed as a slave, or an ample and real compensation for any portion of it that may be subtracted.

In the 18th section, with reference to cases where it may be impracticable to maintain the apprentices by grants of land, it is required that the employer shall at all events "make good and ample provision for all such labourers, in order that they may be properly supported and maintained;" it will be necessary that the Assembly should explain and enact the nature of the good and ample provision here mentioned, inasmuch as those terms, without further specification, do not satisfy the requisition of Parliament, that the Assembly shall regulate the amount and quality of food in cases where it was not determined by the existing code.

The allowance of clothing appears to be scanty, as compared with the provisions of the Order in Council, and it is secured only to children over the age of twelve, while the order assigns it to any one above the age of five. I am not aware of any reason which warrants these departures from the provisions enacted by His Majesty.

By the 32d section, the magistrate is authorized to direct imprisonment on the plantation; this should have been connected with some precautions against the use of unhealthy or otherwise improper places of confinement. With reference to the

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39th section, relating to the unauthorized wandering of an apprenticed labourer beyond the limits of the plantation of his employer, I am of opinion that it is either objectionable in substance, or, if qualified by its proviso to the full extent of the terms of that proviso, almost nugatory. It requires, I think, such modifications, whether of form or substance, as shall secure to the apprentice the free use of his own time, unimpeded by any restriction of his power to select for himself the place in which it is to be spent.

The enactments of section 42, for punishing apprentices injuring the cattle or other property, not only of the employer but of any other person, should be made general in their application, and not confined to apprentices, unless some substantive argument can be stated to a contrary effect.

In the 45th section, which refers to the punishment of women for heinous offences, I observe a vagueness of expression and of enactment, not in conformity with the due caution of the law. Heinous offences will demand serious punishments, and the more serious the punishment may be, the more necessary it will be to guard, by accurate specifications, against the possibility of abuse in its infliction. Something of a more definite character must be introduced into this clause as a substitute for the bare proviso of "such punishment as shall be awarded by the special justice." I object, upon a similar principle, to section 46, which specifies punishments without defining the crimes to which they are to be attached. It is surely possible for the wisdom and experience of the Legislature to anticipate every form of offence against the law, and to meet it with some adequate penalty. The clause, in its present shape, leaves room for a suspicion which ought most anxiously to be precluded, that it is intended to give scope to arbitrary power under the sanction of law, and the apparent forms of justice.

By the same clause the magistrates are forbidden to permit the whipping of females above the age of 12. I do not think it was contemplated by Parliament that the infliction of corporal punishment upon the weaker sex, should in any case become the subject of legal enactment or judicial process; and I have therefore to instruct you, that the prohibition should be made absolute.

The 51st section provides redress for complaints of the labourer against his employer for various specified injuries. I think it might be well to introduce into the catalogue the mention of improper complaints preferred by the master against the apprentice, unless some other method shall be devised of securing to the apprentice, under the apprenticed law, a remedy against this form of oppression.

There may be a doubt whether the proviso in the same clause, saving the right of the apprentice to proceed in the Superior Courts, does not, in effect, however contrary to the intention of the Legislature, take away from the apprentice every other mode of proceeding, except that summary remedy and the right of action. I would call your attention to the necessity of so framing this law, that it shall in no way interfere, even by possibility, with His Majesty's right of proceeding by criminal information and indictment.

The 56th section declares it a felony in a labourer to attend at a meeting for various specified unlawful purposes, and generally for any other unlawful purpose. These terms are so large, that they might be made to include many actions which cannot fairly be punished as felonious; and this defect ought be corrected.

The magistrate should, as well as the employer, have the power of authorizing an apprentice to reside beyond the limits of the plantation to which he is attached.

The 62d section prohibits the purchase, from an apprentice, without the written consent of his employer, of any goods except fish, poultry, goats, hogs, grass, fruit and vegetables. Adverting to the habit which may have been generated among the negroes of frequently purloining a variety of articles, I think it allowable to prohibit, under penalties, the purchase from him of those articles, the property of his master, which he may have the opportunity of abstracting; but the enactment, instead of permitting certain articles, and joining to that permission a general prohibition of all others, would, I think, be framed in a more liberal and equitable spirit, if it left unimpaired the general liberty of the apprentice to sell as well as to buy; and merely for bad transactions in those particular descriptions of goods, which may be supposed, as a general rule, to have come improperly into his possession.

You will perceive that the variations which have been noticed are numerous, and in some cases by no means unimportant. Considering, however, that these and similar Acts are to be tried, not in a spirit of minute criticism, but rather by their general and substantial conformity to the provisions of the British Statute in all its material purposes; and further, that the intentions of the Home Legislature do not appear

appear to have been disregarded by the Colonial Assembly, in so far as relates to the prominent and principal objects had in view, I do not feel it my duty to recommend to His Majesty the disallowance of the Act in question; but on the other hand, I am unable to advise its immediate and definite approval. The decision of His Majesty upon it will remain suspended until you shall have been enabled to propose to the Legislature of St. Vincent, so to amend its provisions as that it shall be rendered more uniformly conformable to the views of His Majesty and of Parliament. From the temper which has already been manifested in the past proceedings of the local Legislature, I entertain no doubt of their acceding to the purposes contemplated in these instructions, and confidently anticipate the period when I shall feel it in all respects as consistent with my duty, as it would now be with my inclination, to advise His Majesty to affix to the Act of His subjects in the Island of St. Vincent His final and authoritative sanction.

I have, &c.

(signed) *Aberdeen.*

—No. 268.— No. 268.

Copy of a DESPATCH from Lord *Glenelg* to Sir *Lionel Smith.*

Sir, Downing-street, 28th July 1835.

IN the Despatch, which was addressed to you by the Earl of Aberdeen on the 30th March last, you were informed that His Majesty would not be advised to give His immediate and definite approval of the Act passed by the Legislature of St. Vincent, for giving effect to the provisions of the Imperial Act for the Abolition of Slavery; but that His Majesty's decision would remain suspended until you should have been enabled to propose to the Legislature of that Island so to amend the provisions of the Act as that it should be rendered more conformable to the views of His Majesty and of Parliament. As the time approaches for carrying into effect the intentions of Parliament, in regard to the distribution of the compensation money awarded to the Colonies under the Slavery Abolition Act, I am induced to advert to this subject, and to impress upon you the necessity (should no steps have been taken by the Legislature of St. Vincent's for amending their Act) for your calling the attention of the Legislature to the contents of Lord Aberdeen's Despatch; pointing out to them, that until they shall comply with the requisition therein contained, they will not be in a condition to participate in the compensation fund.

I have, &c.

(signed) *Glenelg.*

GRENADA.

—No. 269.— No. 269.

Copy of a DESPATCH from Lieut.-Governor *Middlemore* to Mr. Secretary *Stanley.*

Sir, Government House, Grenada, 26th Aug. 1833.

I have the honour to acknowledge the receipt of your Despatch of the 20th May, and the accompanying papers.

His Excellency Sir L. Smith was in Grenada, and at Government House, when your Despatch was brought to this Island, and I did not fail to show it to his Excellency; but as he was about to return to Barbadoes immediately, I had not an opportunity of receiving any instructions upon the subject of the Despatch. Sir L. Smith will communicate to me, without delay, so soon as he shall have arrived at Barbadoes, such instructions as he may consider requisite.

In the interim I shall endeavour to use my best exertions to meet the spirit of that part of your Letter which is more particularly addressed to me, as administering the Government of Grenada. I am happy to have it in my power to report to you, that up to this time the Island is perfectly tranquil, and that no instances of insubordination or outrage, on the part of the slave population, have come within my knowledge.

I have, &c.

(signed) *G. Middlemore,* Lieutenant-Governor.

GRENADA.

No. 270.

—No. 270.—

EXTRACT of a DESPATCH from Lieutenant-Governor *Middlemore* to Mr. Secretary *Stanley*, dated Government House, Grenada, 2d March 1834.

IN conclusion, I am glad to report in a favourable manner upon the disposition of the inhabitants generally to the measures proposed for the Abolition of Slavery. The two branches of the Legislature have applied themselves to this question in a spirit of good will which promises the most fortunate results: a good understanding prevails between them and myself; and the slaves, from whom some degree of excitement was perhaps apprehended, are in a state of profound tranquillity, and appear to understand and appreciate the boon held out to them.

No. 271.

—No. 271.—

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Grenada, 8th March 1834.

I HAVE the sincere pleasure to acquaint you, that the Legislature of this Island have unanimously passed the Abolition Bill, which I this day assented to, and have the honour to transmit transcript of the same herewith.

Printed in the Appendix (B.) No. 47.

I cannot too highly praise the good spirit and temper evinced both by the Council and Assembly on this occasion, which will, I hope, entitle them to the advantage of every indulgence and consideration.

In the progress of the discussion, they communicated with me with the utmost confidence, evincing a sincere desire to conform to all the wishes of His Majesty's Government.

Referring you to the 48th clause, I expressed some doubt if the private working days for the apprentices were quite sufficient; but as the Imperial Act did not determine the number of days, and as the seeming intention was that every Colony should regulate the time according to the facilities of cultivation, fourteen days, exclusive of holidays, for this Island, appeared to be sufficient; and those whose opinions I most respected, assured me a longer period would only encourage idleness. I, therefore, did not think myself warranted in refusing assent on this only objection.

The Legislature will probably make some application for assistance in the maintenance of the district's police. They will be willing to pay them, but hope to be assisted in feeding and clothing them from the King's Government.

I anxiously promise myself you will be satisfied with the Act from this Island, and I proceed to St. Vincent on the 11th inst. in hopes of receiving an equally unexceptionable Act from the Legislature of that Island.

I have, &c.

(signed) *Lionel Smith.*

No. 272

—No. 272.—

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith.*

Sir, Downing-street, 21st August 1834.

I HAVE the honour to acknowledge the receipt of your Dispatch of 8th March, enclosing a copy of the Act which had been passed by the Legislature of Grenada for the Abolition of African Slavery.

It is not without considerable reluctance, that in announcing to you His Majesty's approval of the greatest part of this Act, I am compelled to state that there are some important defects in it which require to be amended, in order that His Majesty may be enabled to issue the Order in Council, declaring that adequate and satisfactory provision hath been made, by the Colony of Grenada, for giving effect to the Act of Parliament for the Abolition of Slavery; upon which declaration the right to the compensation which Parliament has provided, has been made to depend.

With

With the view of bringing under your notice, in the clearest and most succinct manner, the facts to which I have adverted, I shall institute a comparison between the enactments of the Grenada Act and the provisions sketched out in the draft of the Order in Council, which was transmitted with my predecessor's Despatch of the 19th October last, to the West India Colonies, for the consideration of their respective Legislatures, and which draft developed the views of His Majesty's Government as to the supplementary legislation necessary for carrying into effect the system of apprenticeship.

This comparison, whilst it enables me conveniently to point out those parts of the Act which require alteration, at the same time demonstrates that the Legislature of Grenada have, for the most part, closely and faithfully copied the model which was placed before them, and thus furnishes a proof, as gratifying as it is convincing, that they have been animated by a sincere desire to accomplish the intention of Parliament, and to carry into effect the wishes of His Majesty's Government.

1st. The judicial and ministerial agency to be employed formed the subject of the first chapter of the Model Draft, and it is treated of in the first four clauses of this Act. Upon this subject, the only point which I have to notice, as necessarily requiring amendment, is, that no power is given to the Governor to make regulations for securing the discipline and efficiency of the police. In the Model Draft this was provided for by the 17th section of the first chapter; and I fear that the omission of such a power from the Act before me, will prove a serious obstacle to the successful working of that establishment.

2d and 3d. As respects the second and third chapters of the Model Draft, which relate to the procedure to be observed by the special justices in the exercise of their functions, and to the division of the apprenticed labourers into their respective classes, subjects which are treated of in sections 5 to 33. Section 67, and sections 34 to 46 of this Act, I have no observation to make, further than to repeat the expression of my satisfaction at the cheerful adoption, by the Council and Assembly of Grenada, of the suggestions of my predecessor upon these subjects.

4th. The maintenance of the apprenticed labourers is referred to in the fourth chapter of the Model Draft, and in clauses 47, 50, and 53, 54 of this Act.

The Act of Parliament requires, in its 11th section, that during the continuance of the apprenticeship, the apprenticed labourer shall be supplied with such food, clothing, lodging, medicine, medical attendance, and such other maintenances and allowances, as by any law then in force in the Colony to which such apprenticed labourer might belong, an owner was required to supply to and for any slave, being of the same age and sex as such apprenticed labourer.

The precise and ambiguous terms of that enactment relieve me from all responsibility on this subject, beyond that of comparing the maintenance to which the apprenticed labourers are declared to be entitled by the Grenada Act now before me, with that which was secured to them, whilst in their state of slavery, under the Grenada Slave Act, passed in the year 1825.

The second clause of that Act requires that the owner shall allow to each prædial slave for his support, a sufficient portion of land, adapted for the growth of provisions; and if it shall be found inconvenient for the owner to allow such land, he shall, by other means, make *good and ample* provision for the slaves in lieu thereof. That the provision-ground shall be inspected monthly by the manager or overseer. That the owner shall allow every family of slaves a *good and comfortable* house, with one or more beds, raised a foot from the ground. That the owner shall give each slave a "sufficient" allowance weekly of salt and salt fish, or of such other food as their ages and state of health may require. That the owner shall give to each slave "a sufficient clothing and blankets, suitable to their respective age, sex and condition." That every non-prædial slave shall be provided with "comfortable lodging, sufficient food and decent clothing." The justices, on conviction of any owner for non-compliance with these rules, are to adjudge the owner to make the following allowances to each prædial slave:—"Quarter of an acre of land, or 4*s.* 6*d.* currency (about 2*s.* sterling) per week, in lieu thereof; a weekly allowance of one quarter of a pint of salt and 2 lbs. of salt fish, or such other provisions as may be equivalent thereto; an annual allowance of one penistown or cloth jacket, with three yards of cloth, or six yards of cloth without the jacket, eight yards of linen, one hat, with needles and thread, and a triennial allowance of one blanket." To each non-prædial slave the magistrates are to adjudge "a weekly allowance, in money or provisions, equivalent thereto, to the value of 6*s.* currency," and an annual allowance of two suits of clothing.

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These regulations, though passed in reference to slaves, are the measure of the rights of the apprenticed labourers to maintenance.

By the 47th section of the present Act, the employer is required to give to the apprenticed labourer, who is not provided with grounds, 2 lbs. of salted fish, one quarter of a pint of salt, eight pints of flour, or six quarts of meal, grain, pulse or other articles of food equally nutritious. It becomes, therefore, my duty to consider in the first place, whether I can sanction the substitution of the specific quantities of flour or meal in lieu of the 4*s.* 6*d.* currency, to which the prædial apprenticed labourer would have been entitled had he remained a slave.

Without attempting to decide whether these specific quantities are equivalent in their average value to the money allowance, I cannot but feel convinced that with a view to the early acquisition by the apprenticed labourer of those habits of forethought and economy, which are necessary to render him fit for the enjoyment of unrestricted freedom, it is much better for him to receive his maintenance in the shape of a weekly payment, than in specific articles of food. I should wish you, therefore, to urge the Council and Assembly of Grenada to revive the provisions of the law of 1825, and to adapt them to the case of the apprenticed labourers. Moreover, the re-enactment of those provisions will give to the apprenticed labourer the indefinite rights to "good and ample provision," to "sufficient food," and decent clothing, which, although inadequately sanctioned by the Act of 1825, cannot be withheld from them without infringing the British Statute.

If the recommendation which I thus made be adopted, the 47th section of the Act before me, to which I see several objections, will manifestly become inapplicable.

Whilst upon this subject, I cannot withhold the expression of my regret, that the Council and Assembly of Grenada should, as respects the apprenticed labourers, have diminished to so great an extent the time formerly allotted to the slaves for the cultivation of their provision grounds. I have no reason to suppose, that in the Colony of Grenada, the twenty-eight days to which the slaves were entitled, would be more than adequate for the purpose of supporting the apprenticed labourers, and at all events I should not feel myself justified in sanctioning a less allowance of time for this purpose than has been freely conceded by the Legislatures of Jamaica and Barbadoes; namely, twenty-six days in the year.

The 53d section of the Act now before me which relates to the medical attendance on the apprenticed labourers, very properly provides that a hospital book shall be kept on each plantation. Upon this point I have only to suggest the addition of a few words, enabling the special justice to call for and inspect such hospital book when he may think fit.

The 54th section authorizes the employer to keep the hospital locked up, and forbids any patient to leave it except by the permission either of the medical attendant or of the employer. Admitting, as I do, the necessity of this controlling power in the employer over the hospital and its inmates, I must nevertheless urge that this clause should be amended so as to prevent the employer from retaining any one in the hospital who may have obtained from the medical attendant permission to depart.

It is required by the 16th section of the Act of Parliament that the distance to which provision grounds may be removed from the abode of the apprenticed labourers should be confined within some maximum limitation. To meet this requisition in spirit, it is obviously necessary that the 49th section of the Grenada Act should be so far modified as to make the sanction of the special justice necessary to every arrangement, under which the provision grounds are situate beyond some reasonable distance (to be defined by the Grenada Legislature) from the apprenticed labourer's dwelling.

5th. The 5th chapter of the model draft, and sections 55, 63 and 65 of the Act under my consideration, relate to the duties to be performed by the apprenticed labourer, and the penalty for their non-performance. For the most part there is a close conformity between these parts of the two instruments. I feel it necessary, however, to make the following observations upon this branch of the subject. First, The order permits the absence of the labourers from the estates for "reasonable cause," leaving the special justice to determine in each case what cause is reasonable. For this provision the Act of Assembly substitutes a permission to be absent for any "*legal* cause." It appears to me that this alteration is not an improvement, but the reverse. The Act is silent as to what particular occasions shall amount to a legal justification of the temporary quitting the employer's service; and an Act which should fully supply that omission, must anticipate in detail the numberless

numberless contingencies of human life which might afford the labourer an adequate apology. As this is impossible, the rule respecting "*legal*" causes of absence must either be identical in effect with the rule respecting "*reasonable*" causes of absence, or it must have no definite meaning whatever. On either supposition, the change of the one adjective for the other has, as it seems to me, left the rights and duties of all parties in this respect in great and needless obscurity.

Second. The Model Draft subjected an apprenticed labourer to punishment for ill-using the cattle of his employer, or for exposing his employer's property to injury by wilful-negligence. By the 58th section of the Act, the labourer is rendered liable to the same punishments, though the cattle or property should not belong to his employer, but to some third person. To this change, however slight it appears, I entertain a strong objection.

It was the intention of Parliament that, subject to the obligations of apprenticeship and to certain disqualifications arising out of that state, the slaves in the British West India Colonies should on the 1st August become free subjects of His Majesty. I am necessarily prevented from sanctioning any enactment in a Colonial Act which tends to create any distinction between an apprenticed labourer and any other free person, unless such distinction is incidental to the apprenticeship. I trust therefore that the Legislature of Grenada will not object to omit so much of the section now under my consideration as exposes the apprenticed labourer to a penalty for injuring the cattle or property of any individual, not his employer; a penalty from which other free persons are exempt.

Third. The 63d section forbids the resort of apprenticed labourers desiring to prefer complaints to any person except the special justice of the district. This exception should be made to extend to the Governor, as it is possible they may wish to complain to that functionary against the decision of the special justice, or to represent to him grievances not falling under the cognizance of a special justice.

Fourth. The 65th section of the Act authorizes the employer at his own discretion to imprison on the plantation, for 24 hours, any labourer guilty or suspected of being guilty of any offence against the Act, or the general law of the Island.

Although I am well aware of the essential importance of preserving good order on the plantations, yet I cannot approve of this section in its present shape; for notwithstanding the improvement here contemplated is doubtless intended as a precautionary, and not as a penal measure, yet it would almost inevitably assume in practice the latter character, and would thus lead to a direct contravention of the British Act, which declares any Colonial Act void in so far as it may authorize any employer to punish any apprenticed labourer for any offence by him or her committed or alleged to have been committed, by any personal or other correction whatever. I should not object however to the introduction of an enactment into this Act which should authorize the special justices to appoint constables on the plantations from amongst the most respectable apprenticed labourers; such constables to have (with reference to other apprenticed labourers) the same powers as ordinary constables, and to have authority to take into custody any apprenticed labourer in case he shall have offended against the law established by this Act, and in case it is presumed that he will attempt to escape.

6th. The 6th chapter of the Model Draft, which treats of the duties to be performed by the employers towards their apprenticed labourers, and the penalties for their non-performance, corresponds with sections 64 and 68 to 75 of this Act. Upon this branch of the subject I have to observe that I regret to feel myself unable to assent to the appointment of inspectors, as proposed by section 64 of the Grenada Act; although I can readily conceive that in many instances the employment of this species of arbitration may be convenient both to the employer and to the apprentice.

It appears to me, however, to have been the intention of Parliament that all questions incidental to the apprenticeship should be referred to the special justices only, and consequently I conceive that the intervention of these inspectors would be so far inconsistent with that intention, as to preclude me from recommending His Majesty to sanction this provision.

With regard to the subject of task-work, several important enactments suggested in the Model Draft, are omitted in this Act.

The Act contains no provision for reducing into writing all contracts for task-work or extra service; for annulling all such contracts unless approved by the special justice within a fortnight, for ascertaining that the terms of such contracts are understood by the parties, and are entered into freely, or for preventing ambiguities in the terms of such engagements. I regret the absence of such provisions, and I

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am disposed to suggest their insertion, or to propose as an alternative a provision to the following effect; (namely) that all contracts for task-work should be entered into books to be kept on the respective plantations for that purpose, and that upon complaint made to the special justice by any apprenticed labourer who shall have entered into the same, the special justice shall be authorized to inquire whether the terms of such contract were distinctly understood by such apprenticed labourer, and whether he entered into it freely and voluntarily, and whether the same is reasonable and just. And the special justice shall make such adjudication in the matter as the case may require.

7th. The 7th chapter of the Model Draft relates to offences which may be committed by the apprenticed labourers against the State, and the punishment of such offences; to which subject are devoted sections 76–89 of the Act.

First. Under the 76th section, labourers are made liable to solitary imprisonment for 12 months, with or without hard labour, on conviction before any justice of the peace of having remained at a riotous assemblage after warning to depart. To the penalty itself I offer no objection. The infliction of such a punishment by the sentence of "any justice of the peace," seems to me in the highest degree objectionable. This is far too great a power to have been confided to a single *special* justice. To entrust it to justices not having special commissions is directly opposed to the words of the Act of Parliament in the 76th section, in cases where the riotous assemblage may originate in any questions between the employers and the labourers. To remove these objections it would be advisable to insert the words "any two or more special justices," in lieu of the words "any justice of the peace."

Second. The 78th clause of the Act, which is adopted in pursuance of the 4th section of chapter 7 of the Model Draft, restricts within narrower limits than were originally contemplated, the right of the labourer to leave the estate to which he may be attached. So far from approving of this additional restriction, His Majesty's Government, upon more mature consideration, arrived at the conviction that the provision, even as originally framed, requires to be modified, so as to afford the prædial apprenticed labourer a greater degree of liberty during those hours which are not to be devoted to his employers. I recommend, therefore, that in the place of section 78 of the Act, the following clause should be substituted; (namely), Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special justice of the district, shall be liable to be apprehended and brought before a special justice; and unless such labourer shall make it appear, to the satisfaction of such special justice that he or she, when so found, was employed on his or her lawful occasions, such labourer shall be adjudged a vagabond, and punished accordingly.

Whilst upon this branch of the subject, I must observe that I feel justified in sanctioning the clause which compels the apprenticed labourers to reside upon the plantations or establishments on which they may be employed. Having regard, on the one hand, to the importance of fixing the negro to a specified domicile during the apprenticeship, and on the other hand to the provisions in the Slavery Abolition Act, requiring the employer to supply the apprenticed labourer with lodging, medical attendance, and with provision grounds within a limited distance from such lodging, I am satisfied that this restriction is expedient, and that it is not inconsistent with the intention of Parliament.

8th. A dissolution of the apprenticeship by contract or appraisement, forms the subject of the 8th chapter of the Model Draft, and of sections 90th and 96th of the Act.

The comparison of the provisions on this subject respectively contained in the Model Draft and in the Act, leads me necessarily to the conclusion that a large proportion of the cases intended to be provided for in the Model Draft, are altogether unnoticed in the Act.

If the employer should happen to be under any disability, or should be unwilling to lose the services of his apprentice, the apprentice might in the first case (as the Act is at present framed) in vain desire his discharge; and on the second supposition, the same unwillingness might prevent such discharge, by inducing the employer to refuse to nominate an appraiser.

As it was the intention of Parliament that every facility should be given to apprenticed labourers desirous of purchasing their discharge, I trust that the Council and Assembly of Grenada will, when their attention has been directed to this subject, either adopt the provisions originally suggested, or modify the enactments of their Act, so as to render them complete and effectual.

9th. The

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9th. The 9th chapter of the Model Draft, and the 97th and 98th sections of the Act relate to the removal of apprenticed labourers from one plantation to another.

Under this head I have only to remark, that the 9th section of the Act of Parliament declares that no prædial apprenticed labourer shall be subject or liable to perform any labour in the service of his employer, except upon, in or about the works and business of the plantations or estates to which such labourer shall have been attached, or on which he shall have been usually employed before the 1st August 1834; but the 98th section of the Grenada Act authorizes the employment of any tradesman, artificer or other labourer on lands not belonging to their employers for certain specified purposes, or for any other lawful purpose. These two enactments are evidently contradictory, and repugnant to each other; and I am therefore under the necessity of recommending the repeal of the latter.

10th, 11th, 12th. The three last chapters of the Model Draft are adopted in the Act of Assembly, with no variations which it appears to me material to notice.

The 106th section of the Act requires every apprenticed labourer, after the expiration of the apprenticeship, either to work out in the master's service the time equal to that which he may have subtracted from it, or to make satisfaction to the employer for the loss. The qualifications of the rule to be found in the 20th section of the British Act, that no such extra service shall endure beyond seven years from the end of the apprenticeship, ought to be inserted, by way of proviso, in this section of the Grenada Act.

The 115th section of the Grenada Act declares, that all Acts in force in the Colony, by which slaves are rendered available to public uses, shall apply to the case of apprenticed labourers, so that the same services may be exacted from them for any public object, as have hitherto been exacted for any such object from the slaves. This section also requires to be qualified, so as to prevent the leisure time of the prædial apprenticed labourers from being encroached upon.

In closing these observations, I feel it my duty to state, that although I have thus frankly and unreservedly pointed out those parts of the Act under my consideration which I have deemed to be defective, yet I am not the less sensible of the prompt and cordial concurrence of the Council and Assembly of Grenada in the main object of Parliament, the emancipation of the slave, and of their sincere endeavours to carry into effect the details of the apprenticeship system, as pointed out to them by His Majesty's Government.

The line of conduct which the Council and Assembly of Grenada have pursued on this occasion encourages me to hope, with no small degree of confidence, that they will receive the suggestions which I have offered to them in the same spirit of acquiescence which they have hitherto displayed, and that they will ultimately afford me the satisfaction of communicating to them His Majesty's entire and unqualified approbation of their legislative exertions on this important subject.

I have, &c.
(signed) *T. Spring Rice.*

— No. 273. —

No. 273.

Copy of a DESPATCH from Lieutenant-Governor *Middlemore* to the Secretary of State for the Colonies.

Sir, Government House, Grenada, 6 January 1835.

Referring to your Despatch, dated Downing-street, 21 August 1834, Grenada, addressed to Governor Sir Lionel Smith, I have the honour to transmit herewith an Act of this Legislature, amending, agreeably to the expressed wishes of His Majesty's Government, "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the third and fourth years of the reign of His present Majesty, King William the Fourth, for the Abolition of Slavery throughout the British Colonies, and to make further provision for the purposes in the said Act mentioned." I have received the Governor-General's authority to assent to this Bill, and as its early transmission to England is of the utmost importance to the Colony, I am induced to send one copy direct to you; a duplicate shall be forwarded to the Governor-General, with an explanation of my reason for having despatched the first transcript direct.

Printed in the Appendix (B.) No. 48.

I have, &c.
(signed) *G. Middlemore*, Majr-Genl & Lt Govr.

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No. 274.

— No. 274. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*, dated Colonial Office, 28 Feb. 1835.

THE Act for the amendment of the Slavery Abolition Law will be disallowed by His Majesty in Council, because it requires the Governor to appoint a certain number of justices for each of the judicial districts into which the Colony is to be divided, which justices are not to be among the number of stipendiary magistrates, but are to act in concert with them in giving effect to the law respecting apprenticed labourers.

Abstaining from all discussion respecting the propriety of the scheme itself, it is sufficient for me to say, that both the general laws of the realm and the Act of Parliament for the Abolition of Slavery, require that His Majesty should reserve to himself an unfettered discretion as to the choice of the justices of the peace, and as to the number to be appointed for this or any other purpose, and that by this enactment the King would be virtually deprived of that discretion.

I observe that the Attorney-general of Grenada anticipated the objection, but that his opinion did not prevail, and is not even noticed in any communication made to this office on the subject by yourself, or by the Lieutenant-Governor. I conjecture that this oversight may have been occasioned by the great brevity with which the views of the Attorney-general are stated, but upon a subject so peculiarly within his province, it seems to me that the representations of the principal legal adviser of the Colonial Government were entitled to greater weight than on this occasion they appear to have received.

No. 275.

— No. 275. —

EXTRACT of a DESPATCH from Governor Sir *Lionel Smith* to the Earl of *Aberdeen*, dated Barbadoes, 9 March 1835.

I HAVE the honour to transmit herewith, for His Majesty's gracious allowance, transcript of an Act, intituled, "An Act to amend an Act, intituled, 'An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the third and fourth years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies,' and to make further provision for the purposes in the said Act mentioned."

Act printed in Appendix (B.) No. 49.

No. 276.

— No. 276. —

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 2 Aug. 1835.

I HAVE the honour to transmit to you herewith an Order passed on the 31st ult. by His Majesty in Council, leaving to its operation an Act passed by the Legislature of the Island of Grenada in the month of December 1834, intituled, "An Act to amend an Act, intituled, 'An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the third and fourth years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies,' and to make further provisions for the purposes in the said Act mentioned."

I have, &c.
(signed) *Glenelg*.

No. 277.

— No. 277. —

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 3 Aug. 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult. declaring that adequate and satisfactory provision hath been made in the Colony of Grenada for giving effect to an Act of Parliament, made in the third and fourth year of His present Majesty for the Abolition of Slavery.

Order in Council, 31 July 1835. Printed in the Appendix (B.) Part II No. 17.

I have, &c.
(signed) *Glenelg*.

TOBAGO.

—No. 278.— No. 278.

EXTRACT of a DESPATCH from Lieut.-Governor *Darling* to Mr. Secretary *Stanley*, dated Government House, Tobago, 10 August 1833.

THE last vessel of this season sailing direct for England to-morrow, I do myself the honour to acknowledge your duplicate Letter of the 13th June (the original not having reached me), with copy of the resolutions which had passed both Houses of Parliament for the abolition of negro slavery. I immediately on their receipt sent copies of your Despatch and the resolutions to the President of the Legislative Council and Speaker of the House of Assembly, in order that the Members of those bodies might individually have full time before the meeting of the Legislature next month, to give the most mature consideration to this important subject, which will probably soon be submitted to them collectively. It gives me great pleasure to be able to state my opinion that the views of His Majesty's Government will meet with little opposition in this Island on the part of the proprietors, while I believe also that the slave population is as little, perhaps less, excited than in any other of His Majesty's West India possessions. I give this, however, on the authority of what is reported to me by those gentlemen in whom I am inclined to place confidence; I may state, in corroboration of it, that although several complaints have been made to me since my arrival, by slaves from different plantations (on one occasion by seven at once), they have in no instance shown any impatience on the subject of emancipation, nor have their complaints had any thing of a general nature in them, still less of combination, being on every occasion confined to individual grievances, real or imaginary. I regret extremely that I cannot give this information, as the result of my own observation, further than I have just stated, not having been able to meet with horses in the Island, which has prevented my making a general tour of it ere this; I am however in daily expectation of being mounted from Barbadoes, when I hope to have confirmed by my own inquiry what at present I am obliged to take on the authority of others.

Vide Papers printed by Parliament, 16 April 1835, Part I. Page 5. No. 177.

—No. 279.— No. 279.

COPY of a DESPATCH from Lieutenant-Governor *Darling* to Mr. Secretary *Stanley*.

Sir, Government House, Tobago, 25 September 1833.

I HAVE the honour to acknowledge the receipt of your notes, accompanying copies of the Abolition Bill as amended by the House of Commons in Committee, and as amended by the House of Lords.

I have, &c.,

(signed) *H. C. Darling*, Lieutenant-Governor.

—No. 280.— No. 280.

COPY of a DESPATCH from Lieutenant-Governor *Darling* to Mr. Secretary *Stanley*.

Sir, Government House, Tobago, 28 October 1833.

I HAVE the honour to acknowledge the receipt of your circular Despatch of the 5th September, accompanied by a copy of The King's Proclamation and several sets of the Abolition of Slavery Bill. I immediately laid these documents before the Privy Council, who were of opinion that the abrupt promulgation of the Proclamation might possibly hurry the slaves into the belief that they were immediately set free, unless great pains were taken in explaining it to them, and suggested that it should be preceded by a short notice or address from myself explanatory of the subject. I in consequence issued the notice whereof I have the honour to enclose a copy, which has been followed by the King's Proclamation, and I am informed by gentlemen from the country that it has been attended with the

Vide Papers printed by Parliament, 15 April 1835, Part I. No. 177 Page 8.

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the best effect and has given general satisfaction to the slaves. On one estate indeed there appears to be some little irregularity at this moment (not arising out of this measure), but it is not of such importance as to induce me to trouble you with any report upon the subject. I have no doubt of order being promptly restored. The copies of the Abolition Bill which I had the honour to receive with your Despatch have been circulated to the magistracy in the several districts of the Island, and to the Members of the Legislature, who are now in session and occupied with this subject.

I have, &c.

(signed) *H. C. Darling*, Lt-Govr.

Enclosure in No. 280.

Enclosure in No. 280.

By His Excellency Major-General *Henry Charles Darling*, Lieutenant-Governor of Tobago.

To the SLAVE POPULATION of the ISLAND.

Knowing how much you all wish for the receipt of those orders which you have for a long time expected to release you from slavery and make you free, I have great satisfaction in announcing to you that the Parliament of Great Britain has at last, after a great deal of trouble, completed the laws and regulations that have been found necessary on the great change that is about to take place in your condition; and The King's orders which I have received to make known this to you shall be immediately obeyed, as soon as the Proclamation can be printed and sent round the Island. To prevent you, however, from forming hasty and wrong opinions upon the subject and then meeting with disappointment, I think it right to inform you that no change whatever will take place in your condition until after next crop time, and that when your slavery itself shall cease you will still be required to work for a certain time for your former masters, but under regulations different from those to which you have hitherto been accustomed. With these new regulations you will become acquainted before the time for your manumission. I have directed all managers, overseers and magistrates, in short, all white people throughout the Island, to explain such parts of the new law as are most interesting to you; if you are not satisfied with what they tell you, you may come to me for explanation, but take care that you do not come in greater numbers than two or three together; I will not receive or speak to any body of slaves, either coming with complaints or to ask for information, that may exceed that number.

I have now only to express my hope and desire that you will not allow the receipt of this intelligence to excite you to any acts of insubordination, idleness or riot. You must recollect that you are still under the same owners and the same laws as heretofore, though they will in a short time be changed, and that it will be my duty (which you may depend upon it I will not neglect) to support those laws to the utmost, and that any ill-disposed negroes who may absent themselves from their work, or advise others to do wrong, shall be selected as the fittest objects for severe example. Be peaceable, be orderly, attend to your work with increased diligence, and show by your good conduct how much you value and deserve the blessings of freedom to which you will in a certain time be admitted.

(signed) *H. C. Darling*, Lieut-Governor.

Government House, Tobago, 10 October 1833.

No. 281.

—No. 281.—

Copy of a DESPATCH from Mr. Secretary *Stanley* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 13 December 1833.

I have received from Lieutenant-Governor Darling a Despatch dated the 28th October, in answer to my circular Despatch of the 5th September, and I have to request that you will convey to General Darling my approbation of his having, under all the circumstances, issued the explanatory Address of which he has enclosed me a copy, antecedently to the promulgation of His Majesty's Proclamation.

I have, &c.

(signed) *E. G. Stanley*.

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— No. 282. —

TOBAGO.

No. 282.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 11th June 1834.

I have much pleasure in forwarding herewith, for His Majesty's gracious allowance, a transcript of the Act which has been passed by the Legislature of Tobago, for carrying into effect the provisions of the Imperial Act for the Abolition of Slavery; and I feel assured that the spirit in which this Bill is drawn up cannot fail to afford satisfaction to His Majesty's Government.

No. 1. Printed in the Appendix (B.) No. 50.

You will perceive that by the last clause the period of its coming into operation is made to depend upon His Majesty's confirmation; but considering that such confirmation might possibly not be received by the 1st August next, I instructed the Lieutenant-Governor to recommend to the Legislature a repeal of the clause in question; so that the Act may at once be in full force on that day. I beg to enclose copy of a Despatch from General Darling, stating that it is intended to pass a Bill for this purpose; and at the same time enclosing a copy of his address, on recently proroguing the Legislature.

No. 2.

No. 3.

No. 4.

I have also much pleasure in transmitting, as connected with this Bill, the enclosed copies of communications between the Lieutenant-Governor and the Legislature of Tobago, by which it appears that it is proposed immediately to abolish the power of flogging slaves, except by sentences of magistrates; a measure which I consider of the utmost importance as a preliminary to the great change which is so shortly to take place in these countries.

I have, &c.

(signed) *Lionel Smith.*

Enclosures in No. 282.

Enclosures in No. 282.

No. 2.

Sir, Government House, Tobago, 6th May 1834.

I have had the honour to receive your Excellency's Despatch of the 18th April, authorizing me to assent to the Bill for the Abolition of Slavery in this Island; which order I carried into effect on the 2d instant, by signing the Bill in the presence of the Council and Assembly, when I addressed them in a short speech (of which I have the honour to enclose a copy) and prorogued the Legislature to the 9th instant.

I have furnished them with copies of your Excellency's Despatch; and when I meet them in a new session I shall not fail to call their attention to those points which you consider as requiring alteration with a view to the greater efficiency of the Bill. Of their ready acquiescence in your Excellency's suggestions, I have at present no reason to doubt. It appears indeed by the minutes of the Legislative Council that it was their intention the last clause should have been expunged, to which amendment the Assembly were understood to have assented; yet it was retained in the original of the Bill as received by me from the President, an oversight which they appear at a loss to account for.

On the other point adverted to in the 3d paragraph of your Excellency's Despatch, I had the honour to state in my Letter of the 1st April, that a Bill for the registration and classification of apprenticed labourers, which appeared to me very comprehensive, had passed the Council and Assembly; but owing to informality in the enacting part of it, I did not forward the transcript to your Excellency. When that point is again brought under their consideration, I am given to understand the Bill will undergo every necessary alteration to give it the desired effect.

This being accomplished, I hope the Legislature of Tobago will be considered as having fully merited the confidence of the British Government by the spirit and liberality with which they have given effect to the Act of the Imperial Parliament for the Abolition of Slavery in this Island.

I have, &c.

(signed) *H. C. Darling.*

Mr. President and Gentlemen of the Legislative Council,

Mr. Speaker and Gentlemen of the House of General Assembly,

It has been customary, I believe, for the Legislature of this Island to be prorogued at the end of each session by written communication from the executive, and I should undoubtedly follow so convenient a precedent on the present occasion, did I not consider that a summary and informal method of releasing you from further attendance on those duties which have occupied so large a portion of your time for the last six months, would but ill accord with the importance of the object which has chiefly engrossed your attention.

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It would moreover deprive me of the gratification of expressing personally the satisfaction I derive from the spirit of liberality with which you have given effect to the views of the Imperial Parliament, by the Act which you have passed for the Abolition of Slavery in this Island. This Act I consider highly creditable to you as evincing the sincerity of your wishes to ameliorate to the utmost extent of prudence the condition of those who are about to exchange a state of slavery for one of temporary and modified servitude.

I have now to perform a very pleasing duty in assenting, in the name and by the authority of his Excellency the Governor-in-Chief, to the Bill before me for the Abolition of Slavery in the Island of Tobago; and if the high feeling of gratification with which I put my hand to this Bill were susceptible of augmentation, it could only be derived from the actual presence of those individuals, whose welfare and happiness it is its object to promote, and which I most earnestly hope may be fully attained.

Some informality in the drawing up of certain other Bills which have been presented to me during the present session, having obliged me to decline their acceptance for transmission to the Governor-in-Chief, I have no constitutional method of enabling you to rectify the objection, but by proroguing the Legislature for a short period, that you may in another session reconsider the several subjects and introduce the desired alterations.

I have now therefore to prorogue this provincial Parliament, which is hereby prorogued to Friday the 9th day of this month, then to meet for the despatch of business.

Government House, Tobago, 2d May 1834.

(signed) *H. C. Darling,* Lieutenant-Governor.

No. 3.

Sirs, Government House, Tobago, 14th May 1834.

As the period for the Abolition Act going into operation is now approaching, I wish to submit to the consideration of the Legislature, whether some preliminary measures by way of a gradual introduction of the great change that will take place on the 1st of August next, may not be advisable.

I leave to the superior judgment of the Council and Assembly to decide what these measures should be; the total abolition of punishment by order of the attornies, managers or others having at present this power, should perhaps be the principal; but there may be others of minor importance in themselves, which may materially tend to prepare the understanding of the slaves for the better comprehension of the more solid advantages to which they are about to be admitted.

To any measures of this nature I shall be most happy to give my co-operation and concurrence.

The Honourables the President of the Legislative Council and The Speaker of the House of Assembly.

I have, &c.
(signed) *H. C. Darling.*

No. 4.

To His Excellency Major-General *Darling*, Lieutenant-Governor in and over the Island of Tobago and its Dependencies, &c. &c. &c.

The House of General Assembly have to acknowledge the receipt of your Excellency's message of the 14th instant, submitting whether some preliminary measures by way of a gradual introduction to the great change that will take place on the 1st August next, might not be advisable.

And the House in reply have much satisfaction in informing your Excellency that, previous to the receipt of this message, the House had taken advantage of the passing of a Bill to amend the Abolition Act, to introduce certain clauses taking away the power of punishment from the master, &c. after the 1st June next, and vesting the same entirely in the Magistracy of the Colony; and which measure the House consider will be one great step towards preparing the mind of the slave population for the important change that is about to take place in their future condition.

House of Assembly, Tobago, 20th May 1834.

(signed) *James Johnston,* Speaker.

— No. 283. —

No. 283.

Copy of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Stanley*.

Sir, Government House, Barbadoes, 10th July 1834.

I have the honour to transmit herewith for His Majesty's gracious approval, an Act, intituled, " An Act to amend an Act, intituled, 'An Act to carry into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting

Printed in the Appendix (B.) No. 51.

promoting the industry of the manumitted Slaves, and for compensating the persons hitherto intituled to the services of such Slaves;' and to repeal certain Clauses of an Act commonly called the Slave Act, passed on or about the 15th of August 1829, and to substitute other clauses in this Act in lieu thereof.'" TOBAGO.

The original object with which this Act was introduced, was to cancel the last clause of the Tobago Act for the Abolition of Slavery, which made its coming into operation dependent upon the receipt of His Majesty's allowance thereof, as already stated in my Despatch No. 7, of the 11th ult. (Tobago); and I am happy to acquaint you that the Legislature took the opportunity of introducing certain clauses, abrogating the power of the master to inflict punishment on the slave, and obliging him to refer all complaints to a magistrate from the 1st of last month.

I have, &c.
(signed) *Lionel Smith.*

— No. 284. —

No. 284.

Copy of a DESPATCH from Lieutenant-Governor *Darling* to Mr. Secretary *Spring Rice.*

Sir, Government House, Tobago, August 22, 1834.

A direct opportunity for writing to England occurring, by the departure of the last ship for the season, I avail myself of it to acquaint you, that the period for the expiration of slavery, and the transition to a state of apprenticeship, has arrived, and passed in this Island without any act of irregularity or insubordination on the part of the individuals whose hopes have been so long directed to the enjoyment of complete and unrestricted freedom. The pains that had been taken by the attornies and managers, for some time previous to the 1st of August, in explaining to the slaves the conditions which are for a further period to attend their emancipation, prevented any material expression of disappointment on the arrival of the expected day, whatever may have been felt on the occasion; and it affords me a very sensible gratification to assure you, as well from my own observation as from the weekly reports of the magistrates, from the distant parts of the Island, which have been made up to the 18th instant, that at no period have the slaves worked more cheerfully, or conducted themselves with more general propriety in this Island, than since the 1st of August. The very few complaints that have been brought before the magistrates have been of the most trifling description, being confined to occasional misunderstandings with respect to the hours of turning out to work, and the extra time to be granted to the apprentices out of the 45 weekly working hours, between the 1st of July and 1st of December. The special magistrates having fully explained those points, wherever they were not perfectly understood, I am induced to believe that the Island of Tobago will be found second to none in point of good conduct on the part of the apprentices; while it is no more than justice to the several attornies and managers to state, that there is a very general desire on their part to observe a strict attention to the law, and to shew every reasonable indulgence to the apprentices.

I beg to enclose a short address explanatory of the principal points of the Abolition Act, which was read and explained to the head-men on each estate immediately previous to the 1st of August.

And have, &c.

(signed) *H. C. Darling*, Lieut.-Governor.

Enclosure in No. 284.

Enclosure in No. 284.

To the FREE APPRENTICED LABOURERS of the Island of Tobago.

AS the day has now nearly arrived when slavery is directed to cease in all the West India Islands, I have thought proper with the advice of the Council, to address you on the subject, for the purpose of explaining the chief points of the law, by which you are in future to be governed.

First then you must understand, that although you are declared to be no longer slaves, and cannot be bought or sold, or flogged as before, and that other things of which you have frequently complained are no longer allowed, yet you must know that you are still required to serve your late owners as labourers for some time longer, in order to pay them by your labour a part of what they would lose, were you to be altogether your own masters at once. This is but reasonable, and I hope that, by the cheerfulness with which you will

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continue to work under the new regulations, until the end of your apprenticeship, and by your orderly and peaceable conduct, you will show how well you deserve the blessings you will in a short time enjoy. You must know that in England and in every other country, there must be laws to punish the wicked and to keep idle and bad people in order. Free persons in England are indeed sometimes hanged, and in other ways very severely punished when they commit bad crimes. So must it be in the West Indies, when free men, either white or coloured, break through the laws and commit crimes. You will always find me your friend, and ready to protect you against injustice; but I shall be very strict in supporting the magistrates who order you to be punished, when you do anything against the law.

Now the law says,—

1st. That after the 1st August (next Friday) you are to be no longer slaves; that your children now under six years of age are free at once, and that those born after that day shall be born free in all respects; and that any slave who has at any time been in England with the consent of his master, is now at once free.

2d. Such persons heretofore slaves, but who are in future to serve as apprenticed labourers, and who are and have been employed constantly in the field and in out-door work, are to serve for six years longer from Friday next; but that you are not (except in particular cases) to work more than 45 hours in any one week.

3d. Labourers who are not attached to estates, seafaring men and others who never have their day given to them, and who attend on their employers all day and night if necessary, are to serve only four years longer, when they will be entirely free.

4th. If your employer should wish to release you from service before the periods I have mentioned, he may do so; but if he wishes to release and set free any old man, or one who is sickly and cannot work for himself, he must provide for the support and maintenance of that man, for the remaining part of the six or four years, in the same manner as if he had not discharged him.

5th. If any labourer should wish to purchase his discharge before the end of the time for which he ought to serve, and his employer refuse, it can still be done, and the special magistrate will tell the labourer how he is to act on the occasion.

6th. Labourers are to receive from their employers the same allowances of food, clothing and lodging as at present.

7th. The field (or prædial) apprenticed labourer, if above twelve years of age, is to have half an acre of land as a provision ground, not more than three miles from his dwelling, and for every child under that age the father shall have one quarter of an acre.

8th. Between the 1st July (after crop-time in each year) and the 1st of December, each field apprenticed labourer is to have time equal to 14 full working days, out of the 45 hours that he is required to work in each week.

9th. If land is not given to the labourer to raise provisions, he shall receive, if above ten years of age, a weekly allowance of seven quarts of corn meal or five quarts of rice or flour, or 20 pounds of yams, or 25 pounds of sweet potatoes, or 30 pounds of good plantains. A labourer under ten years to receive half that allowance.

10th. All provisions must be of good sound quality, and delivered on the same day in each week.

11th. No land given to an apprenticed labourer, can be taken from him until he has gathered the whole of the crop growing upon it, which is then to be his own property.

12th. If any labourer shall neglect to cultivate his provision ground, or allow his house to fall into decay, he shall pay his employer for putting it in order, by working an extra number of hours for him, as the magistrate shall direct.

13th. If the employer of any apprenticed labourer shall wilfully neglect or refuse to furnish the provisions, clothing, lodging, provision ground or other allowances, unless prevented by some sufficient cause, he shall pay a fine of 40*s*,; such part of the fine as the judge may think fit to be given to the apprentice complaining.

14th. There shall be a good and sufficient hospital upon every estate for the accommodation of the sick.

15th. Any labourer who may absent himself from his work improperly, shall be compelled to work double the time he may be so absent, provided the extra work does not exceed 15 hours in any one week.

16th. Any apprenticed labourer who may absent himself for more than seven hours and a half in any one week, shall be punished by sentence of imprisonment or by whipping with the cat, as the special justice shall think the case deserves. If he absent himself for a longer period, he will be punished with more severity according to his offence.

17th. Any labourer performing his work indolently or carelessly, shall, for the first offence, be sentenced to perform additional labour; for a second offence, confinement with hard labour; for a third offence, confinement, hard labour, and whipping if judged necessary.

18th. Any labourer guilty of drunkenness, or fighting or insolence, or insubordinate conduct to his employer, or persons set over him, shall be liable to imprisonment, with hard labour, or whipping not exceeding 15 stripes.

19th. Any labourer who by careless use of fire shall endanger his employer's property, or who shall wilfully ill-use the cattle, or by negligence expose his employer's property to damage of any sort, shall be liable to punishment according to the nature and extent of the offence.

20th. Any

20th. Any apprenticed labourer who being appointed a watchman, shall neglect his duty, shall be sentenced to three hours extra labour for each offence.

21st. No female apprenticed labourer shall be punished by whipplng or beating her person, but by confinement, hard labour and solitary confinement.

22d. Labourers who may be sentenced to punishment by whipping, shall not be punished with the cart-whip, but by a cat-o'-nine-tails, as used in the army.

23d. Any person who shall take upon himself to inflict punishment upon an apprenticed labourer, otherwise than by sentence of the special magistrates. or shall keep in confinement any apprenticed labourer, shall be prosecuted for the offence before the Judges in the King's Court.

24th. No labourer is to be compelled to work before six o'clock in the morning nor after six in the evening. Labourers to rest for breakfast from seven to eight o'clock, and from twelve till two, or the same rest may be allowed at any other period.

25th. A signal to be given by blowing a shell, ringing a bell, or in some other manner to mark the time of beginning and leaving off work,

26th. No labourer to be compelled to work on Sunday, except in works of necessity, or in domestic services, or in tending of cattle. Nor is any labourer to be prevented attending divine service at his free will on Sundays.

27th. If the employer of any apprenticed labourer shall cause him to work beyond the period allowed by this law, he shall be sentenced by the special magistrate to pay a fine of 1 *s.* for every hour's extra service to the labourer complaining.

28th. No labourer shall be compelled to undertake task-work without his own free consent; but if he consent, the special magistrate will explain what the law further requires.

29th. If the employer of any apprenticed labourer shall attempt to prevent him by force or threats from making a just complaint to the special magistrate, such employer shall be prosecuted for the same before the King's Court.

30th. The special justices to be appointed for this service, and none other, have power to hear complaints, and decide between apprenticed labourers and their employers.

31st. If an apprenticed labourer make a complaint against his employer, which the special justice shall consider frivolous or vexatious, he shall do extra work for his employer, not exceeding fifteen hours in the week. And if the employer shall make a frivolous complaint, he shall pay a fine not exceeding 30 *s.* to the party complaining.

32d. Any apprenticed labourer who shall make a malicious complaint against his employer, may be sentenced to hard labour on the tread-mill, for any time not exceeding a month; and if the employer make such complaint against his apprentice, he shall pay a fine not exceeding 5 *l.* for the benefit of the party accused.

33d. If apprenticed labourers have cause to make complaint to the special magistrate, they must upon no account leave the estate in gangs or large numbers for that purpose; not more than one in 20 must be chosen, and they must ask the manager or their employer for a pass, and if it is refused, they may then go without it. They must return to the estate to which they belong without loss of time, when dismissed by the magistrate, who will make inquiry into the complaint and decide accordingly.

34th. The special magistrate of each district will appoint six special constables, who will have the same power and authority as any other constables by whatever law appointed.

35th. The special justices may appoint one or more of the apprenticed labourers on each estate to act as constables, in maintaining the peace on such estate, under the direction of the proprietor or manager, or in apprehending any apprenticed labourer not employed on such estate, who may be found loitering thereon. Such constable may, under the direction of the manager, put in confinement for a space not exceeding 24 hours, any apprenticed labourer who may commit any offence or riot on the estate.

36th. If any three or more apprenticed labourers unite in any riot or tumultuous assemblage, and do not disperse in ten minutes, when ordered to do so by any magistrate, they shall be liable to imprisonment with hard labour for any period not exceeding 12 months.

37th. If any three or more apprenticed labourers shall agree together to resist the lawful commands of their employer, they shall be tried by the King's Court and be sentenced to confinement with hard labour for six months, with or without whipping.

38th. No apprenticed labourer shall reside beyond the limits of the estate to which he is attached, without the authority in writing of his employer.

39th. Any apprenticed labourer who shall harbour or conceal another, being a runaway, shall be liable to hard labour for 30 days, or receive any number of stripes, not exceeding 30, or both, as the nature of the case may justify.

40th. No apprenticed labourer, except mariners, to leave the Island without a passport from the Governor, granted on the written consent of his employer, under the penalty of imprisonment with or without hard labour for three months.

41st. Any labourers who shall habitually abandon and neglect to perform the duties imposed upon them by law, shall be sentenced to hard labour on the tread-mill, or to punishment by stripes (if a male) not exceeding 39.

42d. Any labourer who shall absent himself from his employer's service for seven days successively, shall be deemed a runaway, and be sentenced to imprisonment with hard labour, or to solitary confinement for three months, or (if a male) to whipping.

43d. Any labourer who shall absent himself from the service of his employer for any longer period, shall, if apprehended, make satisfaction to his employer after the expiration of his apprenticeship by serving for a longer period.

 44th. Any

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44th. Any apprenticed labourer who may without lawful authority, take possession of any King's land, or land belonging to other persons, shall be dispossessed of the same, and the buildings and crops thereon be taken from him.

45th. Any apprenticed labourer who may have in his possession any guns, swords, pistols or other arms, without the knowledge and consent of his employer, shall be sentenced to hard labour for a month, or to 39 stripes, and the arms to be taken away from him.

46th. Apprenticed labourers may hold and own property of any description, except what is mentioned in the last article, and may sell, exchange or give away the same; but they must not keep on their employer's property without his consent, any hogs, goats or other animals.

47th. Persons entitled to the services of apprenticed labourers, may let them out or transfer their services to other persons.

48th. Apprenticed labourers cannot be compelled to serve in the militia, but may be employed as constables on the estate to which they are attached.

These are the principal laws by which you are to be governed until the end of your apprenticeship; and I hope you will be as well conducted under them, as you have been in a state of slavery. The special magistrates appointed by the King will explain all things that it may be necessary for you to know. Until those magistrates arrive, you must obey the gentlemen appointed by me to do their duty. I have only further to repeat my recommendation to you, to be obedient to your employers, be diligent and cheerful in the performance of your duty, and you will not fail, I hope, to be happy.

Government House,
25th July 1834.

H. C. Darling, Lieutenant-Governor.

No. 285.

— No. 285. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *Lionel Smith*.

Sir, Colonial Office, 14 Oct. 1834.

I have received Lieutenant-Governor Darling's Despatch of the 22d of August, which I have laid before the King.

His Majesty has commanded me to express the extreme satisfaction he feels at the favourable report therein made of the state of the Island of Tobago, and of the propriety and good conduct evinced by all classes of His Majesty's subjects within that Colony.

It is alike gratifying to His Majesty to learn, that the Lieutenant-Governor has had the zealous co-operation of the parties interested in property within his government, in aiding him to carry into full effect the Act for the Abolition of Slavery, and that the apprenticed labourers have cheerfully continued their operations of industry.

His Majesty has been graciously pleased to command me to express, through you, to the Lieutenant-Governor, and to all those persons, whether in public situations or in private life, who have assisted in producing this happy result, his satisfaction with their conduct; and considering the extreme importance of the united exertions of all classes in promoting the industry of the slaves and the well-being of the Colony, His Majesty feels confident that the same wise and prudent measures, which must have been adopted in order to produce a state of things so very encouraging, will be steadily persevered in.

The new social system in Tobago has happily begun, and it is His Majesty's most earnest desire and hope that it may conduce to future prosperity and security, and that it may lead to internal tranquillity, to the promotion of industry, and to the general happiness of his subjects in Tobago.

It will be the Lieutenant-Governor's office in the future administration of the Abolition Law, to impress upon all parties that it imposes duties and creates rights equally affecting the employer and the labourer, and that it will be carried imperatively into effect for the benefit of both.

His Majesty further commands me to convey his approval of the proclamation which the Lieutenant-Governor felt it his duty to issue on the 25th of July.

I have, &c.

(signed) *T. S. Rice.*

— No. 286. —

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No. 286.

COPY of a DESPATCH from Governor Sir *Lionel Smith* to Mr. Secretary *Spring Rice*.

Sir, Government House, Barbadoes, 20 September 1834.

I HAVE the honour to transmit herewith, for His Majesty's gracious approval, the transcripts of two Acts of the Legislature of Tobago, respectively intituled, "An Act to establish certain Rules and Regulations for the classification of those persons, hereafter to become apprenticed Labourers, and for ascertaining to which class they shall respectively belong."

"An Act to authorize the temporary Appointment of Special Magistrates, for the purpose of giving effect to the provisions of an Act of the Legislature of this Island, intituled, 'An Act to carry into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, &c.'"

Printed in the Appendix (B.) No. 52. Ditto, No. 53.

I have, &c.

(signed) *Lionel Smith.*

— No. 287. —

No. 287.

EXTRACT of a DESPATCH from Lieutenant-Governor *Darling* to the Secreta y of State for the Colonies, dated Government House, Tobago, 31 Dec. 1834.

BEING aware that some anxiety has hitherto been usually felt in England at this season of the year, as to the conduct of the negroes in the West Indies, who, during the Christmas holidays, have been in the habit of receiving greater indulgence than at other periods, and considering that that feeling may be increased at present, in consequence of the late change in their condition, it may perhaps be excusable in me, if I address myself at once to you on this occasion, the mail-boat sailing direct to overtake the packet to-morrow.

It affords me the greatest satisfaction to report to you, that since the 1st of August last, the conduct of the apprenticed labourers throughout this Island has been most satisfactory, no alteration whatever having taken place in their behaviour since I had the honour to write on this subject, on the 22d August. The two holidays, the 25th and 26th of December, have passed in the usual recreations of feasting and dancing, but no instance of outrage or riot of any description has been reported to me. Saturday immediately following the 26th, and that day having been given to them in every week since the 1st of August, they appear in some instances to have thought it might reasonably have been added to their holidays; to this I believe many of the managers would have had no objection, but that Sunday coming after, making four successive holidays, it would have been somewhat imprudent to grant it, as affording the idly disposed inducement and opportunity to stay from the estates; they were therefore generally required to turn out on Saturday the 27th, more for the sake of roll-call than any thing else.

I am informed that their demonstrations of enjoyment on these holidays, have in some cases been of a less animated description than usual, owing probably to their having had throughout the year, a much greater proportion of time at their disposal than formerly, which has occasioned the contrast with the excessive indulgence, heretofore only granted at Christmas, to be the less striking. The managers may in some instances have thought themselves bound to curtail the customary gratifications of rum, &c. thus diminishing the stimulus to great hilarity. Be that as it may, the Island has been and is now in the most perfect state of tranquillity. There has arisen indeed some discussion as to the remuneration which the apprentices should receive for extra labour, during the crop season now commencing, but this has in general been settled with very little trouble. In many cases they have left it to the manager's liberality to reward them at the end of the period, in others, they have only stipulated for the usual quantities of hot liquor from the sugar, rum, and other like indulgences. If I might venture to form an opinion, on the experience of the five months that have elapsed since the extinction of slavery, I should say there is no reason whatever to apprehend any trouble or insubordination in this Island, under the system of apprenticeship; which notwithstanding occasional complaints of late turning out to work, will upon the whole prove as beneficial to the interests of the proprietor as the former system, and this too without reference to the greatly improved condition of the labourer.

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No. 288.

— No. 288. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*, dated Downing-street, 10 February 1835.

YOU will have the goodness to express to Lieutenant-General Darling the great satisfaction felt by His Majesty's Government, at his reports of the demeanour of the apprentices during the period of the Christmas holidays.

No. 289.

— No. 289. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *Lionel Smith*, dated Downing-street, 1 April 1835.

I TRUST that it will be in my power to transmit to you by the next packet an Order of His Majesty in Council, leaving to their operation the Acts passed in the month of May last, by the Lieutenant-Governor, Council and Assembly of Tobago, for giving effect in that Island to the Act for the Abolition of Slavery. In anticipation of that order, I propose now to communicate to you such remarks as have been suggested to me by the perusal of the Acts in question.

In the enactments respecting the assignment of provision grounds to the apprenticed labourers, I observe the greatest distance from the abode of the cultivator, at which they may be apportioned to him, is three miles. It would demand a more exact topographical acquaintance with the Island of Tobago than is probably possessed by any persons in this kingdom, to determine whether this extreme limit might not be considerably narrowed. But it is sufficiently obvious that such a change, if really practicable, ought to be made; because the time lost, and the fatigue incurred in a daily walk of six miles, between the place of his residence and the place where his means of subsistence are to be procured, would be an unprofitable deduction from the leisure and repose of the labourer.

For the cultivation of the provision grounds, 14 days only in the year are allowed by this Act. By the Royal Order in Council, 40 days annually are assigned for the same purpose in Trinidad and St. Lucia, and although in those Islands there is a great extent of unoccupied and virgin soil in the immediate vicinity of almost all the plantations, yet even the allowance of 40 days appears to have been enlarged in St. Lucia, by a local ordinance passed during the existence of slavery there, to 52. It is incredible, therefore, that 14 days can suffice for this work in Tobago. The effect of so short an allowance must be, to cast on the cultivator of the soil the duty of maintaining himself by a deduction, not from the 45 weekly hours assigned to the employer, but from his own leisure. This, however, would be an infringement of the compact made with Colonies for the especial benefit of the emancipated slaves; and therefore the Council and Assembly of Tobago must be called upon to review and amend this enactment.

Compulsory labour on the provision grounds might seem unnecessary, since the urgent pressure of want will probably be a stimulus sufficient to quicken the most listless into that degree of activity which is requisite for procuring their daily food. The rule, however, if retained, should be qualified by two additions. The first, that the compulsion should never be used, except during the time deducted by law, for the purpose of cultivating these grounds, from the 45 hours of weekly labour. The second, that even during that time, an apprenticed labourer, who is earning his subsistence by honest industry in some other employment, should be left to pursue it without molestation.

The rules which forbid the apprenticed labourer to reside beyond the limits of the plantation, except by his employer's consent, or to quit it, even during his own leisure, except with a written pass from the employer, must prevent all free competition for wages, and must enable every planter to make his own terms with the labourers upon his estate for extra service. This, however, is opposed to the spirit of the Act of Parliament. It is necessary that power should be given to the special magistrate as well as to the employer to license the residence of the labourer beyond the limits of the plantation. The law must also be amended in such a manner as to leave the labourer at liberty to resort, during his own leisure, to any place in which he can obtain honest and profitable occupation; provided that it is not of such a nature or extent as to interfere with the performance of his prescribed duty on the eatate to which he may belong.

In

In the 30th section of this Act some words appear to have been transcribed, without due consideration, from the laws formerly in force in the Island, for preventing the abuse of the power of punishment, which, during the existence of slavery, belonged to the owner. Fine and imprisonment are denounced as the penalty of cruelty towards apprentices, and especially in cases of the wanton or cruel cutting, wounding, maiming or mutilation of their persons. But offences of this kind being generally the indications of a murderous design, carried into effect as far as the power of the assailant has extended, are very inadequately punished by fine and imprisonment. Even, however, if it were not desirable to exact any more severe penalty, still there would be no sufficient reason for introducing a special rule of law, applying to those cases only in which the apprenticed labourer is the immediate sufferer. It is an object of great importance that the whole colonial society should henceforth live under the same penal code, and that the growth of all invidious distinctions of this nature should be checked at their first appearance."

— No. 290. —

No. 290.

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *Lionel Smith*.

Sir, Downing-street, 29 July 1835.

AS the time approaches for carrying into effect the intentions of Parliament in regard to the distribution of the compensation money awarded to the Colonies under the Slavery Abolition Act, I am desirous of calling your attention to the Despatch which was addressed to you by my predecessor on the 1st of April last, respecting the revision and amendment of the Act passed by the Legislature of Tobago for giving effect in that Island to the provisions of the Imperial Act. Should no steps have been taken by the Legislature of Tobago before this reaches you for amending their Act, in conformity with the views entertained by His Majesty and by Parliament, you will lose no time in calling their attention to the subject, pointing out to them that until they shall comply with the requisitions contained in Lord Aberdeen's Despatch, they will not be entitled to participate in the compensation provided for the late slave proprietors.

I have, &c.

(signed) *Glenelg*.

TRINIDAD.

— No. 291. —

No. 291.

Extract of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart. to Mr. Secretary *Stanley*, dated Trinidad, 12 October 1833.

I have had the honour of receiving your very important and very satisfactory Despatch, enclosing the Act of Parliament for the Abolition of Slavery.

The execution of this all-important measure has been provided for by Imperial legislation, the only effectual manner by which it could have been brought to so early a termination, or with uniform operation throughout the British Colonies.

I presume to make up a despatch bag addressed to you, by a merchant vessel, without waiting for the regular writing packet, conceiving that you will be pleased to learn that in this Colony no untoward circumstances in any manner interruptive of tranquillity have occurred.

The militia continues to increase in numbers and to improve in discipline, with a disposition of zeal on the part of the proprietors, far beyond my hope.

The public mind seems prepared to receive the measure of Abolition with serenity, and to give it fair play.

I immediately, on receipt of your Despatch, gave promulgation to His Majesty's Proclamation, as you will perceive by the enclosed gazette.

I have had some hundred copies of it printed and distributed in every part of the Colony.

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I being of opinion that careful explanation may be required to *mark* to the Black population the distinction between slavery and apprenticeship, I am preparing a letter of instruction for that purpose to assist persons I can depend upon in the different quarters of the Island, and when necessary I will personally join them to dispel misapprehension, and offer satisfactory information on every point, as well to proprietors as slaves.

I am warned of the instant departure of the vessel which takes charge of my despatch bag, but cannot conclude without offering you my sincere and hearty congratulations in having obtained the triumph of perfecting the most important measure that has borne on the interests of mankind for this past century.

No. 292.

— No. 292. —

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 26th November 1833.

I HAVE had the honour to receive your Despatch of the 12th October, and I beg to express to you the gratification which His Majesty's Government have derived from the satisfactory account of the state of Trinidad, and of the reception of the measure for the Abolition of Slavery.

I have, &c.
(signed) *E. G. Stanley.*

No. 293.

— No. 293. —

COPY of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill* to Mr. Secretary *Stanley*.

Sir, Trinidad, 6th April 1834.

I HAVE the honour to state that I laid your Crown circular Despatch of the 19th of October last, and the model Guiana ordinance which accompanied it (suggesting the measures to be adopted for the purpose of giving effect to the Act for the Abolition of Slavery), before the Council of Government.

I had a sufficient number of this model ordinance printed for the use of the Council, inviting observations upon it.

It was discussed repeatedly at frequent meetings again and again of a committee of the Council, by whom every chapter was noted.

The observations of the committee were laid before the Council, who, after several meetings and much debate, resolved to avail themselves of the option you kindly gave them, and to proceed by report instead of ordinance (with one exception as explained in the inclosed document.)

That document is the final report of the Council of Government passed unanimously in its present form, offering their suggestions for your assistance in the laborious and responsible task you have obligingly and cheerfully proposed to undertake for them in framing the laws whereby the employers and apprenticed labourers are to be governed from and after the 1st of August next.

Pursuant to the spirit of your Despatch of the 19th of October, I encouraged and invited full and free discussion on every point of the model ordinance, and felt much gratification in witnessing the manifest disposition in all parts of the Council to co-operate and render the proposed measures as perfect as experience and foresight can make them.

I have, &c.
(signed) *G. F. Hill.*

Enclosure in No. 293.

Enclosure in No. 293.

TRINIDAD.—The REPORT of the Lieutenant-Governor and Council of Government of the Island of Trinidad upon certain Measures proposed by His Majesty's Government to be enacted for the purpose of carrying into effect the Act for the Abolition of Slavery in the British Colonies, 3 & 4 William 4. c. 73.

WE the Lieutenant-Governor and Members of the Council of Government of this Colony, have weighed and considered with anxious, careful and studious attention the Circular Despatch of the Right honourable the Secretary of State for the Colonies, bearing date the nineteenth of October last, together with an abstract, containing the basis or outline

Printed in the Appendix (B.) No. 54.

outline of the various measures proposed by His Majesty's Government to be enacted for the purpose of carrying into effect the Slavery Abolition Act.

The details of this law will, we presume, be so nearly similar throughout the British possessions, that with the exception of one ordinance, which we have passed and herewith transmit, we have deemed it more advisable to avail ourselves of the option which His Majesty's Secretary of State has been pleased to afford us of proceeding by way of report to furnish to His Majesty's Government the local information we possess, and the various suggestions that have presented themselves to our view upon the different bearings of this momentous question, rather than to frame an ordinance applying exclusively to the Island of Trinidad.

We have given the preference to this mode of proceeding under the firm conviction that His Majesty's Government intend to provide and establish one general code of laws for the government of the whole of the Colonial possessions.

In the suggesions which we deem it our duty to offer, His Majesty's Government will observe that we have adopted nearly the whole of those contained in the draft outline, with a few modifications and additions.

With a view to perspicuity, we have throughout this Report followed the draft, observing its order both as to chapters and titles.

Chapter I.

On the Judicial and Ministerial Agency to be employed.

Two considerations, we submit, must be especially attended to in the regulations for carrying into effect the all-important object of this chapter:

First.—That the number of the special justices and of the police force placed under their charge should be so fixed, and the districts in which they are to act so situated, that they may be enabled effectually to perform their duties.

Second.—That the regulations under which the justices and police are to be governed should ensure the most strict and active attention to their duties.

By the 18th clause of the Slavery Abolition Act it is provided, that every description of offence or dispute arising out of the relation of master and apprentice shall be decided by the special justice.

The power of punishing slave offences and redressing slave complaints has been hitherto exercised either by the individual proprietor, or by the commandant of the quarter or by the magistrates.

Probably not less than 2,000 persons have been occasionally engaged in the performance of these duties, all which are now to devolve on the special justices alone; nor is there much reason to expect that the number of offences and complaints which were formerly settled and punished by the masters' authority will be in any way diminished; on the contrary, we are inclined to think that disputes respecting real or alleged idleness and indisposition to labour, as well as other offences arising from the relation of master and apprentice, will for some time after the establishment of the new system be much increased. We are, therefore, confident that at least ten special justices will be required for the performance of these duties. We are also of opinion, that the Governor of this Colony may find it necessary to recommend to His Majesty's Government to appoint additional special justices, unpaid.

Considerable inconvenience must, we think, arise unless some general and uniform system of superintendence be adopted to regulate the duties and guide the conduct of the special justices in the several districts.

Differences must and will arise as to the manner in which the duties of these officers are to be performed; and if they are to act independently of each other, and to be accountable only for wilful misconduct, the various districts may in several most important particulars be subject to different modes of proceeding.

The change of a special justice may in many cases produce a change of system, causing great confusion and inconvenience. On the other hand, we think that many important advantages will be obtained by placing the whole system under the direction and control of one superior special justice, corresponding with and acting under the immediate control and instruction of the Executive.

Under this chief special justice we recommend that an assistant chief special justice should be appointed. By this means the machinery of apprenticeship may be made to work uniformly, and the results be more immediately and accurately known.

Independent of this advantage, the prospect of promotion under such an institution will operate as a most useful incentive for the active and faithful discharge of the duties confided to the inferior justices: nor do we consider that such a measure is in any respect at variance with the provisions of the Emancipation Act.

We consider that the number of special justices to be allotted for each Colony must depend not merely on the numbers of the slaves in that Colony, but on the greater or less facility of access to its several districts.

Adopting the principles which we have before stated, we recommend that the Island of Trinidad should be made to consist of two divisions; the First or Metropolitan Division to include all the portions of the Island north of the quarter of Chaguanas, with all the settlements of the eastern coast from the north to the south; the Second Division to comprise all the other quarters of the Island.

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The First Division should, we think, be placed under the immediate and personal superintendence of the chief special justice, whose residence should be at the town of Port of Spain.

The Second Division should be under the immediate direction of a chief assistant special justice, residing at San Fernando, acting however under the general superintendence of the chief special justice, with whom his correspondence is to be carried on, and from whom he is to receive such general instructions for the performance of the duties of the special justices in his division as may from time to time be thought requisite.

The reason for proposing this arrangement is, that the town of Port of Spain is the seat of Government, and consequently the fittest place of residence for the chief special justice, who is to be in constant communication with the Executive.

The inhabitants of the quarters in the First Division, however distant, communicate with the town of Port of Spain directly by means of the high roads.

The quarters of the Second Division have only a water access with Port of Spain, whilst Cedros, Hicacos, Quemada, Moruga and Erin have a constant intermediate intercourse with San Fernando.

By means of this division, therefore, all the populous parts of the Colony will be within the distance of a day's journey of a superior justice, whereas a voyage to and from the southern quarters of Port of Spain cannot at some seasons be calculated to be made in less than a week.

In the subdivision of the Colony into districts, and the selection of spots for the police establishments, regard must be had as well to the nature as the extent of the population.

In the town of Port of Spain, for instance, the numbers of employers will almost equal that of the apprentices. In the quarter of South Naparima where the sugar plantations are very numerous, the same number of apprentices will be divided amongst very few employers.

It is desirable, for the sake of convenient access, that the police establishments should be formed in the most populous parts of the several districts.

We are therefore of opinion that the Colony should be made to consist of two parts or divisions.

The Port of Spain, Tacarigua, and eastern districts should constitute the Northern Division.

The Naparima and southern districts should constitute the Southern Division.

The divisions we have proposed should be separated into five judicial districts, and the Governor by proclamation should define, and, as occasion might require, should alter the limits of such districts.

First.—The First District to be called the Port of Spain District, and to comprise the town of Port of Spain, the districts of Tragarete, St. Ann's, Mucurapo, Diego Martin, Maraval, Carenage and Cuesa, Chaguaramas, Bocas, La Ventille, Cimaronero, Aricagua, town of St. Juan's, Santa Cruz, Maraccas, Maraccas Valley and Las Cuevas, St. Joseph and town of St. Joseph.

The number of apprentices in this extensive district would be very large, including all the domestics and tradesmen in Port of Spain, and as the number of employers would also be much larger, as compared with the number of apprentices, than any other district, it may be presumed that the labour of the special justices in this district will be proportionably increased.

The duties of this district could not be satisfactorily performed with a less number than four special justices; one, the chief special justice, and one special justice to reside at Port of Spain; one special justice at the village of St. Juan's, and the other at the Carenage.

Second.—The Second District should be called the Tacarigua District, and should comprise Caroni, Tacarigua and Aranca, Caura, Arima, Guanapo and Aripo.

Third.—The Third District should be called the Eastern District, and should comprise the eastern coast, the soldiers' settlements, Oropauche, Toco, Cumana, Mayaro and Guayaguayare.

This district will comprise but a small number of apprentices; but its extent, and the distance and difficulty of access from other parts of the Island, render it absolutely necessary that a special justice should be appointed for its exclusive superintendence, otherwise the inhabitants would be deprived of all benefit from these establishments.

Fourth.—The fourth should be called the Naparima District, and should comprise Chaguanas, Couva, Cas-cajal Carapachaima, Savonetta, Point à Pierre, North Naparima, South Naparima, Savanna Grande, Oropouche and Moruga.

The residence of the chief special justice, under whose immediate control this and the remaining districts should be placed, should be at San Fernando, where a police establishment should be formed. Two other police establishments should also be formed in this district; one at Cauva, and the other at South Naparima, near the Jordan Hill estate. This district will comprise the principal sugar quarters of the Island, about three-fourths of the sugar of the Island being made within its limits; it seems proper, therefore, that it should be subjected to the superintendence of a superior justice, who, residing in the town of San Fernando, the capital of this division, by continually visiting the police establishment at Cauva and South Naparima and occasionally that of the southern district, may render more effectual the working of the police machinery.

Fifth.

Fifth.—The fifth to be called the Southern District, and to comprise La Brea, Guapo, Irois, Cedros, Hicacos, Quemada and Erin.

The number of apprentices in this district is comparatively small; but its extent is great, and the difficulty of access to these parts considerable. One special justice may, but with much personal activity, be enabled to perform the duties required.

Under this arrangement, the number of special justices of the Island of Trinidad would be, one chief special justice, one assistant special justice, and eight special justices. There would be nine police establishments, at each of which one of the special justices would reside, viz.—

1st. Port of Spain.
2d. Carenage.
3d. St. Juans.
4th. Tacarigua.
5th. Mayaro.
6th. San Fernando.
7th. Couva.
8th. South Naparima.
9th. Irois.

The residence of the chief special justice and one special justice should be at Port of Spain, and that of the chief assistant at San Fernando, the two capitals of the northern and southern divisions of the Island.

It would seem desirable that the residences of the special justices should be the police establishments in the several districts, and those of the chief, special and chief assistant special justices in the towns.

Great as the expense of these establishments will be, it does not appear possible to form an efficient system of police for this Colony at less cost; and every sacrifice must be made to prevent the failure of an experiment upon which the hopes of our fellow colonists depend.

The following Tables exhibit the quarters comprised in the several districts, the number of apprentices, and the total number of inhabitants in each district and quarter, taken from the last returns; also the distance in English miles of the remotest part of each quarter from the nearest police establishment.

FIRST, OR PORT OF SPAIN DISTRICT.

Police Establishment at Port of Spain.

QUARTERS.	Number of Apprentices.	Number of Inhabitants.	Distance from Police Establishment.
			Miles.
Town of Port of Spain	2,938	9,870	–
Tragarete	255	347	1
St. Ann's	221	861	3
Mucurapo	108	221	2½
Maraval	411	897	7
Diego Martin	625	953	9
Caunage and Cuesa	450	729	13
Chaguaramas and Bocas	352	768	17 and 30
La Ventilli	169	713	2
Cimarnero	216	324	4
Aricagua	476	583	6
Town of St. Juan's	46	220	3½
Santa Cruz	448	1,149	10
Maracas and Las Cuevas	268	857	11 and 18
St. Joseph's	423	527	8
Town of St. Joseph's	79	223	6
TOTAL	7,485	19,242	–

SECOND, OR TACARIGUA DISTRICT.

Police Establishment at St. Juan's.

QUARTERS.	Number of Apprentices.	Number of Inhabitants.	Distance from Police Establishment.
			Miles.
Caroni	149	344	14
Tacarigua and Arouca	1,281	1,670	15
Caura	66	491	14
Arima	311	563	20
Guanapo	272	897	24
TOTAL	2,079	3,965	–

THIRD, OR EASTERN DISTRICT.

Police Establishment at Mayaro.

QUARTERS.	Number of Apprentices.	Number of Inhabitants.	Distance from Police Establishment.
			Miles.
Settlements			32
Eastern Coast	9	479	12
Toco and Cumana	52	421	50 by Water
Mayaro and Guayaguayare	526	701	12
TOTAL			–

FOURTH, OR NAPARIMA DISTRICT.

Police Establishment at Couva and in South Naparima.

QUARTERS.	Number of Apprentices.	Number of Inhabitants.	Distance from Police Establishment.
			Miles.
Chaguanas	621	700	16
Carapichaima and Sovonetta	2,107	2,610	10 and 7
Point à Pierre	963	1,099	13
South Naparima	2,156	2,812	7
Savanna Grande	977	2,762	10
North Naparima	1,300	1,931	7
Oropouche	413	608	12
Moruga	24	129	22
TOTAL	8,561	12,651	–

FIFTH, OR SOUTHERN DISTRICT.

Police Establishment at Irois.

QUARTERS.	Number of Apprentices.	Number of Inhabitants.	Distance from Police Establishment.
			Miles.
La Brea and Guapo	523	730	18 and 13
Irois	59	100	6
Cedros	475	730	8
Hicacos and Erin	229	728	14 and 14
TOTAL	1,286	2,288	–

Having thus laid before His Majesty's Government a full detail of the locality, extent and population of the various districts we recommend to be established, and the distribution of the special justices therein, we now proceed to offer our suggestions on the extent of the police force, the time of service for which the individuals composing that force should be engaged, and the rate of pay to be allotted to them.

His Majesty's Government recommend that each police settlement should consist of one serjeant and ten privates.

In this suggestion we should be inclined to concur, did not our experience convince us that it would be impossible for the special justice or his serjeant to be constantly in personal attendance at the settlement.

The special justice will have his daily circuit visits to make. The serjeant may be on active out-door duty, and no responsible person (as an officer) will remain to superintend the settlement.

The variety of languages also spoken in Trinidad renders it necessary that some person of authority, who understands them, should always be present at the settlement to communicate at all hours and times with the numerous applicants.

We therefore recommend that a corporal should be added to the police force at each settlement. We also recommend that the privates at each settlement should receive pay at the

the rate of 2*s.* 2*d.* sterling per diem, the corporal 3*s.* 3*d.*, and the serjeant 4*s.* 4*d.*, and that they should be engaged to serve for a period of not less than three years.

And lastly, we beg leave to suggest that the police in general may be authorized to act (in case of need) in adjoining or other districts.

With these observations we beg leave to express our concurrence in the various enactments proposed in this chapter.

Chapter II.

On the Procedure to be observed by the Special Justices in the exercise of their Jurisdiction.

We consider the regulations proposed by His Majesty's Government in this chapter, as admirably calculated to govern and guide the special justices in the exercise of their jurisdiction, and in the mode of procedure to be observed by them.

They appear to us to require very little alteration, and to admit of little improvement.

In addition to these, some few regulations will be required to be established for the guidance of the chief special justice and his assistant, and for a more summary mode of procedure in case of complaint, for the non or ill-performance of agricultural or other labour.

We therefore recommend the following Regulations to be added to those already laid down in this chapter.

First.—That the chief special justice should have general jurisdiction throughout the Colony.

Second.—That the assistant special justice should have the same authority throughout the Southern Division.

Third.—That the chief special justice should be bound to visit the police settlements as follows:—

Carenage, San Juan, and Tacarigua, at least once a month.

Mayaro, once in six months; and each settlement in the Southern Division once in six months.

That the assistant special justice should visit the settlements at Couva and South Naparima once every month, and Irois every two months.

Fourth.—That in their respective visits to the police settlements, it should be their duty to inspect the several journals and other books and papers belonging thereto, and to examine the police force, and to visit the houses of correction and the penal gang, and to ascertain whether the regulations of the police establishments are properly attended to and carried into effect.

That once in every six months the chief special justice should address a Report to the Governor on the state of the several police settlements, and the general working of the system, and therein specify the date of his several visits to the different police settlements since his last Report, and the result of his observations therein.

That the assistant special justice should make a similar Report to the chief special justice every three months.

That it be a misdemeanor for opposing the special justice, in discharge of his duty—penalty or imprisonment.

That at the end of each quarter, each special justice should transmit to the chief special justice a duplicate of his journal for the preceding quarter, with an affidavit thereto annexed (to be sworn before a magistrate) to the effect of section No. 6.

That the chief special justice should observe the same formalities as regards his own journal, and should transmit the whole number to the Governor.

That in all cases of complaints, for the non-performance or ill-performance of agricultural or other labour, they should be decided by the special justices on the spot in a summary manner, and that such decision should be immediately carried into effect.

That the complaint, decision, &c. should be entered in the journal of the special justice, in the same way as in other cases.

With respect to the penalties mentioned in the 18th and 19th sections, we beg leave to observe, that they are lower for the higher than the minor offences.

The 19th section subjects the apprenticed labourer to imprisonment for a month for a malicious complaint.

We respectfully submit, that the time thus lost to the master should be restored by the apprentice.

We crave reference to our observations on this subject in chapter 5th.

The draft states, that certain forms marked from A. to L. and M. respectively are annexed.

No such forms have accompanied the draft; but we presume they are prepared, and will be duly transmitted with the Order in Council.

With these suggestions, we recommend the adoption of chapter, No. 2.

Chapter III.

On the Division of Apprenticed Labourers into their respective Classes.

The Regulations proposed by His Majesty's Government under this head have been duly attended to, and, with a few trivial alterations, have been embodied into an Ordinance, which is herewith transmitted.

TRINIDAD.

Ordinance printed in the Appendix, No.

The object of this Ordinance, namely, the division of the apprenticed labourers into three classes, has been duly effected, the lists and affidavits required by the Ordinance having been duly delivered into the Registrar of Slave's Office.

These lists and affidavits amount in the whole to 1,945 returns, comprising all the slaves to be apprenticed.

It now remains with the Registrar to correct the lists, and to observe the various duties pointed out to him by the Ordinance.

Chapter IV.

On the Maintenance of the Apprenticed Labourers.

With reference to the details required to give effect to the object of this chapter, we request that they may be provided by the Secretary of State, with our recommendation that the apprentice shall be entitled to one-half acre of ground, with three hours per week to cultivate the same, and not to have salt fish or other provisions; or, half an acre of ground, with one hour and a half per week to cultivate the same, and three pounds of fish; and in case of not allowing either land or fish, the apprentice to be entitled to the quantity of provisions now allowed by law.

We also recommend that the employer shall have the liberty of allotting the time to be allowed to the apprentices for the cultivation of their grounds, either by any day or days in one week, or any number of days consecutively, at such period of the year as the employer may think proper, provided that not more than two consecutive days, or two days in one week be allotted for that purpose.

In adverting to the subject of the medical care of apprentices, we think it will be necessary that the employer should have the power of confining any apprentice in the hospital during the time he is under medical treatment, provided that this is recommended by the medical gentleman or the person in charge of the hospital.

Clothing as heretofore.

Chapter V.

On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their non-performance.

We entirely concur in the justice of the principle laid down in this chapter, but are of opinion it may be carried into effect with more advantage to the interests of both the employer and the apprentice than has been therein suggested.

We respectfully submit that the wrong committed by the slave should in no case (in which the welfare of society does not demand it) prove a source of grievance or loss to the employer. The time of the apprentice, subject to certain limitations, is absolutely and *bonâ fide* the property of his employer. Every moment therefore abstracted from the time allotted to him by the Act of Parliament, whether by maronage, imprisonment, detention at the police establishment or otherwise, is so much positive and actual loss to the employer.

The object of this chapter is to punish the apprentice for his delinquencies; but if this proceeding involves an inconvenience or loss to the employer, the punishment of the apprentice, although an act of merited justice towards him, becomes one of unmerited hardship towards the employer.

To remedy so great a defect, we therefore recommend, that in every case in which the principle can be made applicable, whether the offence be comprehended under the character of desertion, vagabondage or maronage, that the special justices should have an accumulative power to sentence and compel the apprentice to work in the service of his employer, subject to the employer's consent, at the rate of 15 hours in every week, until the period of his sentence should expire. And in case an apprentice should refuse or neglect to labour, or should not undergo his sentence, that the special justice, upon due proof, should be authorized to sentence him to an extended period of hard labour on the settlement, and that the whole time lost to the master by reason of the apprentice not undergoing his first sentence, as well as the period of imprisonment for the second offence, should be made good to the employer by the apprentice, by extending the duration of his apprenticeship; and so *toties quoties* as he may repeat offences under similar circumstances.

These observations apply equally to sections 7, 8, 9, 10, 11 and 12.

We further recommend, that in all cases of conviction of female apprentices, solitary confinement should be substituted for the stocks; and in the event of any disturbance, breach of the peace, or other serious offence being committed on any estate, the employer to have the power of arresting and confining the offender in some place of confinement, previously to be approved of and set apart for such purpose by the special justice, where the offender is to be kept until taken before the special justice, which must be in 24 hours, unless a Sunday intervenes.

We recommend that a power should be given to the special justice, with the consent of the employer, to select out of the apprentices of good conduct and character one or more to act as constables on the estate.

The remaining clauses of this chapter approved.

Chapter VI.

On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their non-performance.

The provisions made by His Majesty's Ministers under this head in the draft outline, seem to us generally well calculated to promote the objects of the Act of Parliament.

We

We perceive that the penalties for the non-performance of the several duties directed to be performed by this chapter, are made to fall only upon the employer.

We presume that it is the intention of His Majesty's Government, in the legislative enactments to be framed upon this draft, to extend those penalties to managers and all other persons in authority, over any apprenticed labourer.

This addition might, with great propriety, be made throughout the whole chapter, with the exception of that section which directs, that upon the conviction of any employer for cruelty, the labourer be discharged from his apprenticeship.

If it is intended that by reason of any cruelty inflicted on an apprentice by a manager, or other person in authority, over such apprentice, the employer or person beneficially entitled to the services of such apprentice, should be liable to be deprived of those services.

The unmerited injury that the malice of any manager might thus inflict upon his employer is so apparent, that we trust, that in the Order in Council to be framed, His Majesty's Ministers will shield the employer from the possible loss he might thus sustain from the revenge of a disappointed or malicious servant.

In addition to these remarks, we are of opinion that the provisions of the Order in Council of November 1831, regarding marriage and religious instruction, should, *mutatis mutandis*, form part of the new code.

We approve the other suggestions contained in this chapter.

Chapter VII.

On Offences which may be committed by the Apprenticed Labourer against the State, and the Punishment of such Offences.

The enactments proposed in this chapter will, we think, be sufficient to counteract the various dangers to which society will be exposed under the new relations about to be established.

We beg leave, however, to offer the following suggestions upon a few of its sections:

In section 3, the labourer is prohibited from residing beyond the limits of the district, in which he may be resident, unless either by the authority of his employer, or with the consent in writing of the special justice.

We do not consider that the special justice ought to have any power to interfere between employer and apprentice as to place of residence. The home of the employer (viz. his plantation), should be the residence of the apprentice.

We are therefore of opinion, and recommend that the word plantation should be substituted for district in this section, and that no interference should be permitted on the part of the special justice as to the place of residence of the apprentice.

In the next section, the apprentice is permitted to go beyond the limits of the district without a pass, provided he is on his way to or from market, or to or from some place of worship.

Unless this privilege be limited to market days, Sundays and festivals, we are of opinion that it may prove a source of continuous and unjust grievance to the employer, as the Protestant apprentices (particularly in the neighbourhood of town) might absent themselves from their labours on Wednesdays and Fridays in each week, and during the whole of Passion Week, on the pretext of going to church. Indeed the Roman Catholic, by far the most numerous class of apprentices, might urge this excuse daily.

We are therefore of opinion and recommend, that this privilege should be limited to Saturday (our established market day), and to Sundays and the four great festivals; viz. New Year's Day, Good Friday, Corpus Christi and Christmas Day.

In Trinidad, where Crown and other lands are so abundant, and the soil is so fertile, it becomes the especial duty of the Legislature to prevent apprentices from establishing themselves in distinct communities, by abstracting themselves from the ordinary services of their employers.

The inducements to the apprentice to withhold his services from his employers, whether arising from feelings of revenge, obstinacy, indolence or otherwise, are so manifold and manifest, that legislation cannot be too circumspectly or too strictly observed, upon a point of such vital importance to the well-being of our social system.

We would therefore suggest, that in cases such as are contemplated in sect. 6, that the habitations of the Maroons, and every description of cultivation, should be destroyed, and that if the Maroons should be found in arms and resisting the King's authority, that a severe and exemplary punishment should be provided.

In section 24, we do not consider alternative punishments equivalent.

We are of opinion that if the penalty be continued to fifty pounds (to which we do not object), that the imprisonment should be imprisonment not exceeding six months, and with or without hard labour.

We would also recommend that persons harbouring apprentices, or removing them from one district to another, without the consent in writing of the special justice or employer, should be liable to a penalty, to be recovered in a summary manner before any special justice, not exceeding twenty pounds sterling.

In concluding our remarks upon this chapter, we beg leave to observe, that in all cases of punishments to be awarded under the provisions of this order, we crave the attention of His Majesty's Ministers to our observations upon Chapter V.

TRINIDAD.

CHAPTER VIII.

On the Dissolution of the Apprenticeship by Contract or Appointment.

WE fully concur in the enactments proposed to be made by His Majesty's Government in this chapter.

CHAPTER IX.

On the Removal of prædial Apprenticed Labourers from one Plantation to another.

THESE enactments claim our fullest approbation.

CHAPTER X.

On the Apprenticeship of Children.

WE also approve of the enactments proposed in this chapter.

CHAPTER XI.

On the Alienation of Sale, Inheritance or Will of the Services of Apprenticed Labourers.

WE concur in the suggestions contained in this chapter.

CHAPTER XII.

On the Relation in which the Apprenticed Labourers will stand towards the State.

WE concur generally in the correctness of the observations made upon this chapter.

We beg leave, however, to recommend, that the apprentices should not be allowed to own, hold or retain fire-arms, or military weapons of any kind, or gunpowder or other ammunition, unless with the permission of the employer or the special justice; and that all such articles may be seized by the special justice or employer, where such permission shall not have been given. And also that apprentices may be capable of being appointed and of serving as constables, as recommended in Chapter V.

This document is respectfully submitted to the Right honourable E. G. Stanley, His Majesty's Secretary of State for the Colonies, by the Lieutenant-Governor of Trinidad, and the Council of Government, as their unanimous Report upon the important measures submitted to them for consideration.

(signed) *G. F. Hill.* *Henry Murray.*
Geo. Scotland. *Joseph Peschier.*
Philip D. Souper, Colonial Sec. *Robert Neilson.*
Stephen Rothery, Attorney Gen. *Henry Fuller.*
George Ford, Treasurer. *Thomas Roxburgh.*
Trinidad, *Henry Gloster*, Protector of Slaves. *Edward Jackson.*
6 April 1834. *J. G. Rochford*, Acting Collector of Customs.

— No. 294.—

No. 294.

COPY of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 24th May 1834.

I HAVE received your Despatch of the 6th April, enclosing the Report of the Council of Government, on the Model Draft transmitted to you with my Despatch of the 19th of October.

Having deferred the preparation of the Order in Council for the Colony of Trinidad, in the expectation of receiving this Report, I shall only be able to complete that instrument in time to forward it to you by the ensuing packet. I feel it due to the Council of Government to apprize you to what extent I have felt myself justified in acquiescing in the suggestions which are thrown out in the Report; and I am the more willing to adopt this course, as it will afford to the Council and yourself, an earlier opportunity of considering and commencing the necessary preliminary measures.

The interleaved copy of the Model Draft which accompanies this Despatch, will place you in possession of the modifications which in compliance with the Report I am prepared to recommend to be introduced into the Order in Council.

You will perceive that the intended alterations in the first chapter will admit of your establishing district divisions and police settlements in the manner proposed in the Report.

As far as the imperfections of the maps with which I am supplied enable me to judge, these divisions appear to be judiciously arranged and to meet the peculiar local difficulties of the Colony.

The

The Eastern District contains so small a number of apprentices, and those so widely separated, that I am disposed to think it advisable that this district should be confided to such voluntary special justices as you may be enabled to select, subject to visitation and inspection by one or more of the stipendiary justices.

With a view to enable you to confine the police settlement of this district within the narrowest limits, I have reduced the minimum number of policemen at each settlement, from ten to five, but this reduction will, of course, not prevent you from fixing upon a larger number for that or any other police settlement.

The Report strongly urges the appointment of a chief special magistrate for the Northern Division of the Colony, comprising the first three districts; and an inspector or deputy, for the Southern Division, comprising the two other districts. If, upon further consideration, the Council of Government should remain of this opinion, I am disposed to acquiesce in the arrangement: and with this view I have proposed to introduce into chapter 2, clauses which will admit of that object being accomplished.

If this plan should ultimately be decided on, it will be necessary for you to select for these offices, two of the stipendiary magistrates; and as they will be subject to a greater degree of responsibility, and possibly of labour, than would result from their ordinary duties, I shall not object to their receiving from the revenues of the Colony a moderate remuneration, not to exceed 200 *l.* sterling for the chief special magistrate, and 150 *l.* for the assistant, in addition to the discharge of the extra expenses which may thus be incurred by them. These salaries must however be granted to them, and to their successors, in case of vacancy, for the whole duration of the apprenticeship.

The Report notices an inconsistency in the penalties mentioned in the 18th and 19th sections of the second chapter. This accidental error I have corrected; and in both sections I propose to empower the special justice to adjudge corporal punishment, in order that the employer may not unnecessarily be deprived of the labour of his apprentice.

The forms referred to in the Model Draft will be transmitted with the Order in Council.

As regards chapter 10 which is to comprize the regulations for the maintenance of the apprenticed labourer, I have to make the following observations.

The Order in Council of 2d November 1831 established in Trinidad allowances of food, &c. taken from the jail allowances, settled by an Act of the Jamaica Legislature. By the order of the 6th November 1832 the Governor was authorized to substitute for that scale, any other which might be better adapted to the state of the Colony. Sir Lewis Grant accordingly issued a proclamation on the subject, dated 5th January 1833, establishing a new scale of allowances. These were in force in the Colony, and had the authority of law there, on the 28th of August last, when the Slavery Abolition Act was passed. By the 11th section of that Act, the employer of every labourer was required to supply him with such food, clothing and other allowances "as by any law now in force in the Colony to which such apprenticed labourer may belong, an owner is required to supply to and for any slave, being of the same age and sex as such apprenticed labourers shall be." I think it clear therefore that Sir Lewis Grant's scale of food must, during the apprenticeship, continue in force in Trinidad. Upon the subject of these allowances therefore it appears to me, that neither the local Legislature of Trinidad, nor His Majesty's Government have the power, even if it were desirable to exercise it, of diminishing the food and other allowances to which the slave was entitled, under the combined effect of the Orders in Council of November 1831 and November 1832, and the proclamation to which I have adverted.

As respects those prædial apprenticed labourers who may be maintained by provision grounds, I propose that they should be allowed for their cultivation, 26 days of nine hours each, out of the annual time, after the rate of 45 hours per week, during which they are bound by the Act for the Abolition of Slavery to work for their employers. The rules as to the apportionment of this time, I shall leave to the discretion of the Lieutenant-Governor and Council of Government.

As regards non-prædial apprenticed labourers, it is intended that they should, in all cases, be supported by an allowance of provisions.

Upon this part of the subject, the Report suggests that the employer should have the power of confining any apprentice in the hospital during the time he is under medical treatment, provided that this is recommended by the medical gentleman or person in charge of the hospital. I am disposed to approve of this suggestion, which I observe has also occurred to the Legislature of British Guiana.

TRINIDAD.

Upon the 5th chapter, the Council urge very forcibly the loss which the employer will sustain by the imprisonment of the apprentice; and it is suggested that the time of which the employer will thus be deprived, should be made good by a prolongation of the apprenticeship. It is evident however that such prolongation cannot lawfully be enacted by the local Legislature to which the Slavery Abolition Act applies, except in the particular case mentioned in section 20 of that Act.

The appointment of apprentices as constables, suggested by the Council, will be provided for by the additional clause to that effect, introduced into chapter 1. These constables, however, must, in the performance of their duties, act under the direction of the special justice, and not under that of the proprietor.

As respects chapter 6, you will perceive that by a very slight verbal alteration of the 13th and 14th clauses of that chapter, the observations which the Council have made upon the necessity of distinguishing the manager from the employer, in cases of cruelty, have been attended to.

In reference to this chapter, the Council propose that the provisions of the Order in Council of November 1831 regarding marriage and religious instruction, should, *mutâtis mutandis*, form part of the new code. It appears to me, however, that as the apprenticed labourer will have all the rights of a free person, subject only to the obligations incidental to apprenticeship, it is unnecessary to legislate specially for them on these points.

The additional restrictions which the Council in their observations on chapter 7 suggest, as proper to be imposed upon the apprenticed labourers, demand the following remarks:

The Council propose to authorize the apprentices to exercise the right of attending public worship only on Sundays, and on four specified festivals. It is to be remembered however, that in many societies of christians dissenting from the Church of England, it is required by the established discipline or practice, that their members should meet together for devotional exercises on the week-days. To interdict such observances to those who might wish to follow them, would, I think, be at variance with the policy and principles by which Parliament was guided in passing the Slavery Abolition Act.

The Council moreover propose to permit the apprenticed labourer to exercise the right of attending markets on Saturdays only. So far from approving this additional restriction, I have, upon more mature consideration, arrived at the conviction that the provision, even as originally framed, requires to be modified so as to afford the prædial apprenticed labourer a greater degree of liberty during those hours which are not to be devoted to his employer, and with this view I have proposed a considerable alteration in clause 4, chapter 7.

Whilst upon this branch of the subject, I must observe that I feel justified in adopting the views of the Council so far as to oblige prædial apprenticed labourers to reside upon the plantations to which they belong.

Having regard, on the one hand, to the importance of fixing the negro to a specified domicile, during the apprenticeship, and, on the other hand, to the provisions in the Slavery Abolition Act requiring the employer to supply the apprenticed labourer with lodging, medical attendance, and with provision grounds within a limited distance of such lodgings, I am satisfied that this restriction is expedient, and that it is not inconsistent with the intentions of Parliament.

Having thus noticed all the principal points contained in your Report, I wish to call your attention to the proposed modifications in chapter 1 and chapter 5 of the Model Draft, by which many of the details of this important measure are left to the decision of the Council of Government and yourself.

I feel justified in adopting this course, not only on account of the almost insuperable difficulty of definitively settling such details, without being actually on the spot, but also because I am satisfied that the Council of Government, and its individual members (amongst whom I must not omit to include Mr. Burnley) are prepared to address themselves to the consideration of these subjects, with a full sense of their importance, in a spirit of justice towards the apprenticed labourers, and with a sincere desire to carry into execution the measures incidental to the Abolition of Slavery, in the manner most likely to ensure the general prosperity of the community of Trinidad.

I have, &c.

(signed) *E. G. Stanley.*

—No. 295.—

No. 295.

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to Lieutenant-Governor Sir *Geo. F. Hill*, Bart.

Sir, Downing-street, 7th June 1834.

IN the unavoidable absence of Mr. Secretary Spring Rice, I have the honour to transmit to you an order which has been passed by His Majesty in Council "for giving effect in the Island of Trinidad, to the stat. 3 & 4 Will. IV. c. 73, for the Abolition of Slavery."

Dated 5th June 1834. Printed in the Appendix, No. 55.

I have, &c.

(signed) *C. J. Lefevre.*

—No. 296.—

No. 296.

COPY of a DESPATCH from Lieutenant-Governor Sir *Geo. F. Hill*, Bart. to Mr. Secretary *Spring Rice.*

Sir, Trinidad, 20th July 1834.

TO guard against a strike from work by the negroes on the 1st of August, which has been apprehended on many estates, I have deemed it expedient to explain by proclamation in English, French and Spanish, somewhat in detail, their duties and their employers' duties respectively towards each other; in truth, what was then to be their real situation.

I enclose copies of those documents, together with a copy of the letter of instruction to the commandants, to whom they were transmitted. No. 1.

Considering the moment to be propitious to invite the numerous runaways to return to their duty, I proposed to the Council of Government to pass an ordinance to secure from punishment those who might voluntarily surrender themselves. That measure has been adopted, and I have the honour to enclose the ordinance passed to give it effect for His Majesty's approval. No. 2.

I also enclose copies of a proclamation which I issued, grounded upon that ordinance, in order to afford to the runaways ample notoriety and assurance that they should be exempt from punishment on surrendering themselves. No. 3. No. 4.

I have, &c.

(signed) *Geo. F. Hill.*

Enclosures in No. 296.

Enclosures in No. 296.

Trinidad. No. 1.

(L. S.) *G. F. Hill.* By His Excellency the Right honourable Sir *George Fitzgerald Hill*, Baronet, Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

A PROCLAMATION.

HIS Majesty the King, the Lords and the Commons, in the British Parliament assembled, have determined that slavery shall be abolished throughout the British Colonies, on, from and after the 1st of August 1834.

Those who are in the state of slavery must in the mean time distinctly understand, and by careful explanation be made to know, that the abolition of slavery does not discharge them from all kind of labour, or from the performance of work and duties to those who are to be their employers, and that they are not to quit the estates of their present masters, who are to become their employers, without permission, except to go to church or market as by law allowed.

To prevent ignorance or misapprehension of the new state in which the slaves are soon to be placed, and the evil consequences that might arise therefrom, it is necessary, in justice to themselves, that they should be accurately informed of the terms and conditions of the law by which the King and his Parliament have abolished slavery.

Therefore be it known, That on and after the 1st of August 1834, all those who now are in a state of slavery are to become and be called Apprenticed Labourers, with the following rights and privileges secured to them.

Those who have been heretofore slaves for life, usually employed in agriculture or in the manufacture of colonial produce, or otherwise upon lands and registered as prædial apprentices, are to serve their employers six years as apprentices, and then to be entirely free. During these six years, however, they are only to work 45 hours in each week for their employers, with food, clothing, medicine and hospital care as heretofore.

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If the employers require their apprentices to work during more hours than are herein specified, they must pay them for it upon bargain to be made. The extra hours beyond 45 in the week belong to the apprentices, which they may employ for their own benefit and profit.

The apprentices are not to be punished by their employers or managers, nor otherwise than by the decision of magistrates whom the King has ordered the Governor to commission, and some of whom His Majesty has sent here expressly from England to reside in the different districts of this Colony, with full authority and power to make the employers do justice to the apprentices, and to make the apprentices perform their work and duty to their employers.

These magistrates will hear all complaints of employers against apprentices, and of apprentices against employers; and these magistrates have alone the authority to punish. They will explain and secure to the apprentices all the rights, privileges and advantages the law has provided for them; and under the power and protection of the Governor and those magistrates, the apprentices may, by quiet and obedient conduct, ensure to themselves an easy and a happy time. But since His Majesty has been so indulgent to those who were until now slaves for life, he justly expects good conduct, submission and contentment from them as apprentices; and although he has appointed special magistrates on purpose to protect the apprentices, yet these magistrates are at the same time ordered to do justice to the employers, and in particular to punish those apprentices who neglect or imperfectly perform their work, who are guilty of insolence or insubordination, or who quit or run away from the service of their employers.

Those slaves, such as domestics, who have not before the 28th of August 1832, worked in the field or on lands or estates, are called non-prædial, and are to serve their employers as at present required, for only four years from the 1st of August 1834.

All children who shall be on the 1st of August 1834, under six years of age, shall be absolutely and entirely free; and those also who shall be born after that day, to be maintained at the expense of their parents, or to be apprenticed in case of inability on the part of the parents to support them; and measures are to be adopted to afford sufficient instruction to all those whose condition is thus to be changed, to fitly qualify them for the enjoyment of it.

Having thus described and proclaimed what is to be the improved situation of those who are to become apprenticed labourers compared with their former state of slavery, it now only remains to exhort them in the name of their King, and in the words of His Royal Proclamation given out in this Colony on the 11th of October last, to yield due obedience to this law, for His Majesty doth make known and declare his settled purpose and resolve to enforce obedience thereto by all the powers and authority in him vested, and to prevent, and if necessary to repress and punish all contraventions of the said law.

Given under my hand and the great seal of the Island, at Government-House, in the Town of Port of Spain, this 11th day of July 1834.

By His Excellency's command,

Philip D. Souper, Colonial Secretary.

(Circular.) No. 2.

Sir, Government House, 12th July 1834.

I HAVE deemed it important to explain by proclamation to the slave population, the nature of the new state in which they will be placed on the 1st of August next, as contrasted with what has been their state of slavery.

I send you copies of my proclamation in English, French and Spanish. I most urgently request you to have the particulars of this proclamation explained and made known to every slave within your quarter. Let owners or managers have copies, and let due care be taken to divest the minds of the slaves from any erroneous impressions or misapprehension of the operation of the Abolition Slavery Act they may have imbibed.

I have the honour to be, Sir,

To the Commandant of
The Quarter of

Your obedient Servant,
(signed) *G. F. Hill.*

Trinidad. No. 3.

AN ORDINANCE enacted by the Lieutenant-Governor of Trinidad, with the advice and consent of the Council of Government thereof, to induce Runaway Slaves to return to their Owners or Employers on or before the 31st day of July instant, and to relieve them from punishment.

(L. S.) *G. F. Hill.*

WHEREAS there are many runaway slaves who are now absent from the service of their masters; and, for the purpose of inducing such runaway slaves to return to their masters, it is expedient that all such runaways who may voluntarily return to the service of their respective masters before the 1st day of August next, should be relieved and discharged from all punishment for or on account of their having so absented themselves as aforesaid:

Now, therefore, be it enacted by his Excellency the Right honourable Sir George Fitzgerald Hill, baronet, colonel of the Londonderry regiment of militia, Lieutenant-Governor and Commander-in-Chief in and over the said Island and its dependencies, by and with the advice

advice and consent of the Council of Government thereof, and by the authority of the same, That from and after the promulgation of this ordinance, it shall not be lawful for any master or employer or other person having authority over any slave in this Colony who is now a runaway or absent from the service of his or her master or employer or other person having authority over him or her, to inflict any punishment on such slave by reason of, or by way of punishment for such his or her running away or absence from the service of his or her master or employer or other person aforesaid: Provided such slave shall, of his or her own free will and without compulsion, return to the estate or plantation to which he or she may belong, or to the house or residence of such his or her master, employer or other person aforesaid, and shall deliver himself or herself up, and place himself or herself under the direction or control of such his or her master or employer or other person having authority over him or her as aforesaid, at any time on or before the 31st day of July now instant.

Passed in Council this 10th day of July 1834.

Philip D. Souper, Colonial Secretary.

Trinidad. No. 4.

(L. S.) *G. F. Hill.* By His Excellency the Right honourable Sir *George Fitzgerald Hill*, Baronet, Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

A PROCLAMATION.

WHEREAS it hath been represented to me that some of the slaves of this Island have absconded from their master's service, and are now idling through the country:

And whereas His Majesty has been graciously pleased to declare by and with the advice and consent of Parliament, that slavery shall cease and determine on the 1st of August next, and that all those who are now slaves should on and after that day become apprenticed labourers for a limited period, with advantages not heretofore enjoyed by slaves:

And whereas many of such runaway slaves may be desirous of returning to their duty, and availing themselves of the advantages thus offered, but may be deterred from so doing by fear of punishment:

Now therefore, I the said Lieutenant-Governor do hereby proclaim, promise and declare, That all those runaway slaves who shall present themselves at the Protector's Office, Government House, shall receive a free pardon and a pass to return to their respective masters, or who shall return direct to their respective masters without coming to Government House, before the 1st of August next, shall be pardoned for having so absconded, and shall not receive any punishment whatever on account thereof.

And whereas it has been reported to me that many runaway slaves have been encouraged to quit their masters' service, and are harboured and employed in various districts of this Colony; Be it therefore known, That any person who shall after this Proclamation harbour, conceal or employ any runaway slave, such person shall most assuredly be prosecuted with the utmost rigour of the law. And I do hereby promise a suitable reward for such information as shall lead to the detection and conviction of any such offender.

Given under my hand and the great seal of the Island at Government House, in the Town of Port of Spain, this 12th day of July 1834.

By His Excellency's Command,

Philip D. Souper, Colonial Secretary.

—No. 297.— No. 297.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *Geo. F. Hill*, Bart.

Sir, Downing-street, 5th September 1834.

I HAVE received and laid before the King, your Despatch of the 20th of July last.

I have the honour to convey to you His Majesty's approval of the proclamation you have issued, explanatory of the respective duties of the apprenticed negroes and their employers.

His Majesty has also been graciously pleased to approve of the ordinance which has passed the Council of Government of Trinidad, and the Proclamation which you issued thereupon, inviting the numerous runaways to return to their duty, and securing those from punishment who might voluntarily surrender themselves.

I have, &c.

(signed) *T. Spring Rice.*

TRINIDAD.

No. 298.

—No. 298.—

COPY of a DESPATCH from Lieutenant-Governor Sir *Geo. F. Hill*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Trinidad, 20th July 1834.

I HAVE had the honour to receive through Mr. Lefevre, some copies of the Order of His Majesty in Council of 5th June 1834, for carrying into effect the Act for the Abolition of Slavery.

I am now engaged with the Council of Government in making the necessary preparations for giving effect to the details of that Order in Council, so far as their co-operation is required.

I have to regret the non-arrival up to the present moment of any of the special justices.

There is an indispensable necessity to secure the due execution of the Act for the Abolition of Slavery and of the Order in Council of the 5th of June, which could not be effected but under the authority of special justices, who ought to be located in their respective districts before the 1st of August, on which day their jurisdiction commences operation. I have therefore consulted with the Council of Government as to the steps I ought to take, and in pursuance of the advice of that board, it is my intention to appoint a large number of unpaid special justices, under the 14th clause of the Act for the Abolition of Slavery.

In addition to the present commandants of quarters and their adjoints, I shall select the most respectable persons in the several quarters for this commission.

I trust that these appointments to carry the new system into effect will not dissatisfy the negroes, but the arrival of the magistrates from home, should they yet arrive in time to superintend its commencement, will be of the greatest importance, as I shall have infinite difficulty in accounting to the negroes for the absence of the officers whom they have been taught to expect would be sent from England by His Majesty expressly to see justice done.

I have, &c.
(signed) *Geo. F. Hill.*

No. 299.

—No. 299.—

COPY of a DESPATCH from Lieutenant-Governor Sir *Geo. F. Hill*, Bart. to Mr. Under-Secretary *Lefevre*.

Sir, Trinidad, 24 July 1834.

THE special justices for carrying into effect the provisions of the Act for the Abolition of Slavery, and Order in Council of 5 June 1834, not having arrived at this Colony, I have made the best arrangements that my judgment suggested to me for carrying those enactments into effect, without the immediate aid of the special justices from home.

In the report of the Governor and Council of Government upon the model Guiana ordinance, transmitted in my Despatch of 6th April, it was recommended that Trinidad should be divided into five districts, and that there should be nine police stations, with one special justice at each station.

Upon re-consideration, however, it has been deemed essentially necessary to divide the Island into nine districts, which has accordingly been done by proclamation, of which I have the honour to inclose a copy.

In each of the eight country districts I have selected the most respectable inhabitants residing in a central situation, to be the acting superintendent special justice until the arrival of the functionaries from England. Under these eight gentlemen I have appointed 92 special justices.

One other acting superintendent special justice and a due proportion of special justices have been appointed for the Port of Spain district.

This large number of special justices is required on account of the extent of the Island, and the necessity of dividing the duty as much as possible, so that no gentleman should be called upon for an unreasonable sacrifice of the time usually devoted to his own avocations.

I transmit a copy of the letter of instruction addressed to the acting superintending special justices, to the special justices and to commandants of quarters.

The form of commission adopted was that of which I had the honour to transmit a copy in my Despatch of the 20th instant.

You shall have a detailed report by the next packet of all proceedings here at this important crisis.

I have, &c.
(signed) *G. F. Hill.*

Enclosures in No. 299.

Trinidad. No. 1.

Enclosures in No. 299.

(L. S.) By His Excellency the Right hon. Sir *George Fitzgerald Hill*, Baronet,
G. F. Hill. Lieutenant-Governor and Commander-in-Chief, &c. &c. &c.

A PROCLAMATION.

WHEREAS by the Order of His Majesty in Council, bearing date the 5th day of June, 1834, it is amongst other things provided, that the Colony of Trinidad should be divided into judicial districts, and that the Lieutenant-Governor should by proclamation define the limits of such districts: Now, therefore, I do hereby order and proclaim as follows; that is to say, That for the purposes of the said Order of His Majesty in Council, the Island of Trinidad shall be divided into nine judicial districts:

That the first district shall be called the Port of Spain District, and shall comprise the town of Port of Spain, and the quarters of St. Ann's, Maraval, Mucurapo, and Tragarete:

That the second district shall be called the Western District, and comprise the quarters of Diego Martin, Carenage, and Cuesa, Chaguaramas and Bocas:

That the third district shall be called the St. Joseph's District, and comprise the quarters of La Ventille, Cimaronero, Aricagua, the town of San Juan, the quarters of Santa Cruz, Las Cuevas and Maracas, Maracas Valley, St. Joseph, and the town of St. Joseph:

That the fourth district shall be called the Tacarigua District, and shall comprise the quarters of Caroni, Tacarigua, and Arauca, Guanapo, Oropouche and Aripo:

That the fifth district shall be called the Eastern District, and comprise the quarters of Eastern Coast, Toco, Mayaro and Guayaguayare:

That the sixth district shall be called the Carapachaima District, and comprise the quarters of Chaguanas, Carapachaima, Savanetta:

That the seventh district shall be called the District of North Naparima, and comprise the quarters of Point-à-Pierre, North Naparima, Savana Grande, the town of San Fernando, and the quarter of Moruga:

That the eighth district shall be called the South Naparima District, and comprise the quarters of South Naparima and Oropuche:

That the ninth district shall be called the Southern District, and comprise the quarters of La Brea, Guapo, Irois, Cedros, Hicacos and Erin.

Given under my hand and the great seal of the Island, at Government House, in the town of Port of Spain, this 22d day of July 1834.

By his Excellency's command,
Philip D. Souper,
Colonial Secretary.

No. 2.

Sir, Colonial Secretary's Office, 22 July 1834.

I AM directed by his Excellency the Lieutenant-Governor to forward to you your commission as acting superintending special justice of the —— district; at the same time I also enclose a copy of his Excellency's proclamation, dated this day, from which you will learn the limits of the district placed under your superintendence, and a copy of the Order in Council of the 5th of June 1834, by which you will be apprized of the general nature of the duties of the office to which you have been appointed.

His Excellency has also directed me to forward to you the commissions of the several special justices who have been appointed in your district, and the letter of instructions to them, a copy of which you will also find enclosed. It is his Excellency's desire that you should forthwith deliver these commissions to the several special justices, at the same time administering to them the oath, of which a form is also forwarded.

A letter has been addressed by his Excellency's directions, to the several commandants of the quarters comprised in the district placed under your superintendence, of which a copy is herewith enclosed. It is his Excellency's request and direction, that you will proceed to swear in as constables as many of the persons mentionsd in the lists, which will be furnished to you by the commandants as you may think necessary and proper to enable the special justices to carry into effect the laws respecting apprenticed labourers, with a due regard to the peace and tranquillity of the community.

The form of oath to be administered to them will be in the form herewith enclosed.

You are also requested to cause proper information to be given you respecting the places of confinement now existing within the district placed under your superintendence, and to license such places of safe custody and correction, situated at convenient distances therein as you may think needful, observing that no such license is to be given without a medical certificate of its being a proper and wholesome place for the purpose required.

To acting superintending Special Justice for ——— District.

I have, &c.
(signed) *Philip D. Souper,*
Col[l] Secy.

TRINIDAD.

No. 3.

Circular to Special Justice.

Sir, Colonial Secretary's Office, 22 July 1834.

His Excellency the Lieutenant-Governor has directed me to forward to you, through the acting superintendent special justice of the —— district, a commission, appointing you a special justice of that district, together with a copy of the proclamation by which the limits of the several districts are determined, and of the Order of His Majesty in Council, of the 5th June 1834, by which the general nature of your duties, as a special justice, are specified and defined.

I have, &c.

(signed) *P. D. Souper,*
Col[l] Secy.

(Circular.) No. 4.

Sir, Colonial Secretary's Office, 22 July 1834.

I am directed by his Excellency the Lieutenant-Governor to request that you will, without delay, make out a list of every individual in the quarter of —— who may be fit and competent to perform the duties of constables, after the 1st of August, and to include therein such of the slaves who will on that day become apprentices, as may be specially recommended by their employers as intelligent and trustworthy subjects, likely to render themselves useful in that capacity. And his Excellency has further directed me to request that this list may be forwarded, as speedily as possible, to Mr. —— who has been appointed by his Excellency, the acting superintendent special justice in the —— district, in which the quarter of —— is comprised.

You will be pleased to understand that the appointment of these constables is not intended to supersede the regular police force to be appointed by his Excellency, but that their duty will be to obey the orders of the special justices (who are to carry the provisions of the Order in Council relating to apprenticed labourers into effect,) in the neighbourhood of the several estates in which these constables may be resident.

I have, &c.

To the Commandant of ——
The Quarter of — —

(signed) *P. D. Souper,*
Col[l] Secy.

No. 300.

— No. 300. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 5 Sept. 1834.

I have had under my consideration your Letter of the 24th of July last, addressed to Mr. Lefevre, and your Despatch of the 20th of July, and I feel every disposition to place confidence in the arrangements which your local knowledge has induced you to make, for carrying into effect the provisions of the Act for the Abolition of Slavery, in consequence of the stipendiary magistrates not having arrived in the Colony.

I trust that proper care has been taken in the selection of the 92 magistrates who have been appointed to perform their duties in their absence, as well as in the superintendence to be exercised by yourself over their proceedings, to prevent any evil effects arising from local bias or personal interest.

As the whole number of special magistrates for Trinidad have been some time since appointed, I trust that they will have arrived and entered on their duties shortly after the date of your Despatch.

I have, &c.

(signed) *T. Spring Rice.*

No. 301.

— No. 301. —

Copy of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart., to Mr. Secretary *Spring Rice.*

Sir, Trinidad, 7 August 1834.

I avail myself of the opportunity afforded this day by the departure for England of a merchant ship, to report to you the occurrences that have taken place in this Colony since the 1st of August.

A strike from work on many of the estates having been expected, I issued a proclamation on the 11th July, explaining to the apprentices the principal features of the

the change that was about to be made in their condition, of which proclamation I had the honour to transmit copies to you in my Despatch of the 20th ultimo.

Shortly after the promulgation of that proclamation, I visited in person that part of the Island where the apprentices are most numerous; and I made similar explanations to them in person, as reported in my Despatch of the 30th ultimo.

From the spirit of discontent which I then witnessed, I saw that it was necessary to take every precaution for preserving the peace of the country; and I did so by completing the equipment in arms and accoutrements of the country militia, and where there was no militia, by distributing arms to the respectable and well-disposed inhabitants.

Up to the 31st of July, the apprentices universally remained steady at their work; but large bodies of them left the estates on the night of that day, and flocked into town, when they repaired to Government House, and awaited my arrival in the morning.

I lost no time in meeting them at Government House, and summoned Mr. M'Kenzie and Captain Hay (the latter of whom had that moment arrived from England); and after presenting these gentlemen to the apprentices as being sent by His Majesty to superintend the execution of the law, I again explained to them in minute detail the nature of their actual situation, and exhorted them to return to their respective properties.

The two special justices referred to, then addressed them to the same effect, but they one and all refused positively to return to their work.

The whole day having thus been spent in explanation and exhortation, and night being near at hand, the special justices next notified the crowd that they were required to disperse; but the signal directed by the Order in Council of the 5th June 1834, cap. 7, sec. 1, having been made, and not the slightest attention paid to it, the police proceeded to take some of the most prominent characters into custody, and they were committed to prison.

From the large numbers who remained in the town, which numbers were constantly increasing by fresh arrivals from the country, it was thought prudent to establish strong guards of the militia in several parts of it.

The night passed off quietly; but on the following day hundreds of apprentices again assembled before Government House.

The justices proceeded in the trial of those who had been apprehended the preceding day, and the police continued to arrest the most turbulent and noisy of those who continued to congregate in the streets; but as these proceedings did not appear to produce the slightest effect, and the day being again nearly spent, the justices displayed the signal, and required the crowd to disperse, but without any attention being paid to them.

The militia were directed to clear the streets, which was effected without accident.

The inhabitants becoming alarmed at the determination evinced by the apprentices, and the total disregard by them of the requisitions and exhortations of the constituted authorities, sent numerous and respectable deputations to me, imploring that martial law might be proclaimed, as the only means of ensuring the security of life and property, and of compelling the apprentices to return to their duty.

I assembled the Council of Government, laid before them the state of the country, and the applications made to me for the proclamation of martial law. I found several of the members deeply impressed with the absolute necessity of resorting to that measure: others were opposed to it; and having announced my own determination under no present circumstances to have recourse to it, the Board were unanimous in the necessity of applying to the commander of the forces at Barbadoes for a reinforcement to the garrison of 200 men, and to the senior naval officer for a vessel of war.

It was also deemed to be a necessary example, that some of the most refractory apprentices who had persevered in exhibiting themselves prominently in the tumultuous assemblages, and had been sentenced by the special justices to corporal punishment, should receive it in the most public manner; in consequence, on Tuesday, the 5th instant, twenty-three apprentices received from fifteen to thirty-nine stripes each in the public square.

This measure produced an immediate effect. The apprentices dispersed, and many of them returned to the estates; and although several gangs subsequently came into town, they immediately returned.

By the exertions of the special justices in the country, who had been appointed

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by me in the absence of the special justices from England, order has been partially restored in many of the districts; but several were, by the last accounts received, still in a state of considerable insubordination; and although I not only hope, but feel confident, that by steady perseverance the law will be found sufficient to restore order, it is very perceptible that the negroes are sullen and discontented, and have only returned to their work because they have found that they would be compelled to do so.

They say they cannot comprehend that the King would call them "free," and yet compel them to work for any portion of time for their former owners; that they require no "apprenticeship," knowing their business perfectly at present; that if the King only intended to make them free at the expiration of six years, he would have done much better to have said nothing about it until the expiration of that time, and then to have declared them free at once.

They observed, that the slaves who had been condemned by the Court of Vice-Admiralty, and who were not such good subjects as themselves, were freed unconditionally; and they also pointed out that the gang of Government negroes had received a similar boon, and they could not comprehend why they were not to enjoy a like advantage.

It is evident from all this that mischievous agency has been employed. These arguments are used by the negroes in all parts of the Island, although there is but little communication between different districts of it.

The utmost pains have been taken to explain the several circumstances which they adduce in favour of their right or expectation of immediate freedom, and to remove from their minds the error under which they labour.

In the formation of the police, to aid the special justices, I have employed a considerable number of the disbanded men of the 3d West India regiment.

Captain Hay and Mr. M'Kenzie are the only special justices who have arrived from England.

The vessel which is to convey this Despatch is under weigh; I must therefore apologize for the haste in which it is written.

I have, &c.

(signed) *George F. Hill.*

No. 302.

— No. 302. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-Governor Sir *G. F. Hill*, Bart., dated Downing-street, 30th September 1834.

I HAVE received your Despatch of the 7th of August, giving an account of the events which have occurred in Trinidad subsequent to the 1st of that month.

I have laid your Despatch before the King, and am honoured by His Majesty's command to convey to you His Majesty's entire approval of the firm yet prudent course you have pursued in the exigency of affairs which has arisen within your government. The precautionary measures adopted under your authority have been such as the nature of the case pointed out as being the most expedient; and whilst His Majesty deeply regrets that any symptoms of insubordination and refusals to work should have manifested themselves, it is satisfactory to His Majesty to perceive that the decisive steps taken by you to enforce the law, to repress tumultuary meetings, and to punish delinquents, have been met by submission and obedience.

His Majesty also is pleased to approve of your conduct with respect to the applications made to you to proclaim martial law. At the period when that application was made, it does not appear that any acts of open violence had been committed; and whilst His Majesty is confident that you will not shrink from applying the most vigorous means for enforcing obedience to the laws, and defending the lives and properties of His Majesty's subjects if endangered, yet it is right that the resort to so extreme a remedy should be reserved for cases in which the necessity of such a measure is unquestionable.

— No. 303. —

No. 303.

COPY of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Trinidad, 9th August 1834.

IN forwarding the duplicate of my Despatch of the 7th instant, I have the honour to report that my intelligence this day from various quarters announces order to have been restored on many of the estates; and although there are still some refractory gangs, I have no reason to doubt their being speedily induced to return to their labour.

I have, &c.

(signed) *G. F. Hill.*

— No. 304. —

No. 304.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Colonial Office, 10th October 1834.

I HAVE to acknowledge the receipt of your Despatch of the 9th of August last; and I have sincere gratification in perceiving that you were enabled to report the restoration of order upon many estates, and your belief that the remaining refractory gangs will be speedily induced to return to their labour.

I have, &c.

(signed) *T. Spring Rice.*

— No. 305. —

No. 305.

COPY of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Trinidad, 14th August 1834.

I HAVE the satisfaction to report that the apprentices throughout the Island with very few exceptions have returned to their work.

I feel assured that the civil power will be sufficient to preserve order.

I cannot avoid congratulating myself that I resisted the reiterated solicitations to proclaim martial law; a measure for the operation of which no defined provision is made or in reality comprehended. I am quite persuaded that scenes greatly to be deplored would have been the consequence of my compliance.

In dispensing with the permanent duty of the first division of the militia at their last parade, I addressed them in terms of approbation which they have well merited, of which I enclose a copy.

To guard against the events to be apprehended on and after the 1st of August in the most populous part of the Island, and with which at this season there is no communication from Port of Spain, but by water, I strengthened the important post of San Fernando, and with the consent of Lieutenant-Colonel Hardy, who commands the 19th regiment and the troops, I appointed Captain Burns of that regiment to be the superintending justice of that district, with a local commission of colonel, to give him rank and command over the officers of the country militia.

I now testify to you with pleasure and confidence the activity and judgment which he displayed in the North Naparima, South Naparima and the southern districts during the first days of this month, have contributed mainly to the speedy suppression of disorder in that extensive and important part of this Colony.

With a view to ensure to the apprentices throughout the Island the benefit of the superintendence of the two stipendiary justices who have arrived, I have divided the Colony into two grand divisions, and have issued a commission to Captain Hay, appointing him chief superintending special justice for the purposes expressed in the 26th clause of the 2d chapter of the Order of His Majesty in Council of 5th June 1834, over districts comprising about one-half of the Island, those districts and his duties being described in his commission; and I have issued a similar commission to Mr. M'Kenzie for the other half.

With these and other arrangements I do not feel any apprehension of effectually carrying into execution the laws and regulations applicable to the employers and their apprentices until the other special justices should arrive.

I have, &c.

(signed) *G. F. Hill.*

Enclosure in No. 305.

M. G. O.

Adjutant-General's Office, 11th August 1834.

Enclosure in No. 305.

His Excellency the Right honourable Sir *George Hill*, Baronet, Governor and Commander-in-Chief, after having reviewed the First Division of Militia Forces yesterday, in Marine-square, addressed them as follows:—

Officers, Non-commissioned Officers and Privates of the Cavalry, Artillery, Royals and Loyals,

I address you on this occasion with pleasure and with pride.

This gratifying field display of militia force naturally impels me, although briefly, to contrast its present state with that in which I found it when I assumed the Government of this beautiful and interesting Island.

I made early inquiry, after my arrival, into the organization, discipline, and *esprit du corps* existing amongst the several militia regiments, which proved such relaxation to be found in these particulars as to require immediate remedy, and that this constitutional defence and necessary arm of authority should be restored to its former efficiency. I sought and happily acquired the confidence of many of the officers, and soon learnt that no want of loyalty to the King, or zeal for the interest of the country, or of a gallant spirit to defend both, had produced this regretted alteration in the militia.

Measures were successfully taken to remove erroneous impressions insidiously made, and jealousies mischievously excited, which, with conciliatory explanation and advice carefully given, have restored harmony and confidence, and produced this united phalanx of all castes, colours, and classes, in friendly and determined co-operation to secure the peace and defend the law of the land.

Diligent parades were resumed, and discipline gradually restored, when a crisis arrived to try the efficiency of these regiments I have now the honour to address, and the sincerity of that kind feeling and mutual respect with which all classes had professed to intermix in the service of their king and country.

Towards and during the first days of this month the tranquillity of the Colony was threatened and alarm generally excited.

I was urged and strongly pressed to supersede the civil and resort to martial law. I answered "No; I have ordered out the militia; they have with alacrity obeyed the call, and by them I will preserve the authority of the civil magistrates and secure the peace."

My friends, you have enabled me to fulfil that engagement. Your guards, picquets, and patroles, with all their attendant duties, have been zealously performed, but with due obedience to command and friendly co-operation with each other.

Your firm appearance, your soldier-like deportment, gave assurance of security to every family in this metropolis of the Colony, and have fixed dismay deep in the heart of every seditious agitator, of whom I hope, nay I believe, there are not many; but if they were tenfold in number, you have annihilated their power of doing mischief.

I delight further in stating, that not an act of insubordination or irregularity deserving even a reprimand has been reported to me.

In the name of your Sovereign and of your country, I return you thanks for valuable ervices so admirably well performed.

For myself personally, I assure you of my sincere gratitude. The cheerfulness with which you have attended to all my orders since I have had the honour of governing in this Colony has induced me to believe I possess your esteem and confidence.

I now offer to Colonel Bland, individually, the expression of my warm approbation of his conduct, and of the high estimation in which I hold the service he has rendered as commandant during the absence of General Peschier, who had been ordered to Carapichaima on special duty.

I shall for the present dispense with your permanent duty, and direct that you may recur to your monthly parades.

By command,

Henry Graham, Col., Dep. Adjt. Gen.

No. 306.

—No. 306.—

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 8th October 1834.

I have received your Despatch of the 14th of August, and have submitted it to the King.

I am commanded by His Majesty to repeat to you his entire approbation of the firm and judicious course which you have pursued under circumstances of a very trying kind.

Cases too frequently arise in public affairs, in which measures prepared with care and prudence, may, from unexpected and disturbing causes, fail in their practical results, and may disappoint the full expectations of those who framed them. But in the mode in which you have acted in respect to the negro population of Trinidad

His

His Majesty is gratified to perceive that you have acted on sound principles, and that your measures appear to have been attended with the utmost success.

To adopt the extreme remedies of coercion, and punishment in every state of things short of an extreme case of violence and of crime, is no less reprehensible than it is dangerous. A government in thus misapplying the means at its command, by such ill-judged anticipation, deprives those ultimate powers and sanctions of their full force and authority, when their application becomes absolutely necessary. Your wise reluctance to proclaim martial law on the late occasion cannot lead to the inference that you would hesitate in resorting to the strongest measures, if property and life were really endangered; a contingency, however, which from your report of the state of Trinidad, His Majesty sees no reason to apprehend.

His Majesty has felt further gratification in being informed that the conduct of the militia of the Island has given you satisfaction; and I have received His Majesty's gracious commands to direct you to communicate His approval to the officers and men of that corps. You will not fail to persevere in those praiseworthy exertions which His Majesty has already had occasion to notice, by which the militia of Trinidad has been improved in discipline and in efficiency.

The arrangements made by you with respect to the military and magisterial authorities, appear to His Majesty to have been judicious and practical, and are such as to meet His Majesty's approbation. His Majesty commands me further to state, that he relies upon the exertions of all classes of his subjects in Trinidad, for the purpose of carrying into full effect the laws now in force, in respect to the apprenticed labourers. To make those laws effectual, care must be taken that the mutual obligations created under their provisions, shall be strictly fulfilled; and that whilst the labour of the apprentice is secured for the benefit of his employer, so his rights must also be secured, and his legal claims must be attended to with the strictest fidelity and justice. To ensure the faithful application of those principles, the cordial and earnest co-operation of all classes is required; and His Majesty feels confidence that you will not fail to secure such effectual co-operation, by all the means within your power.

I have, &c.

(signed) *T. Spring Rice.*

— No. 307. —

No. 307.

Copy of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Trinidad, 26 August 1834.

I have the honour and satisfaction of reporting to you the continued tranquillity of this Colony.

With reference, however, to the dispositions of the apprentices, they exhibit, on some estates, a sullen unwillingness to work, and perform their work slowly and badly.

I expect, and doubt not, a change very shortly in this conduct, towards cheerful compliance with their duty, for on many estates the tasks they have taken, in lieu of seven hours and a half labour, they complete before twelve o'clock, and hire themselves to work for good wages during their spare hours. Nay, one instance has been stated to me of an entire gang of apprentices of an estate, who, having finished their task, adjourned to the adjoining estate to work the remainder of the day, where they got a better price for their work than their owner had offered them.

The experience of money paid for spare time, will soon prove to them that the explanations given to them of this advantage were correct, which they did not at first credit, but of which the apprenticed population will soon generally avail themselves.

In consequence of a proposition made, and a resolution passed in Council on the 23d of June last, in reference to the necessity of engaging and preparing a police force, to be qualified to act on the 1st of August, and of which I enclose a copy, I am under the necessity of requesting to be instructed whether the whole or only a part of this expense is to be borne by Great Britain.

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The police houses, the stipendiary justices' residences, prisons and hospitals, will occasion additional expense, which the Council seem to expect from the debates and proceedings in Parliament, is to be made good to the Colony.

Whether to be supplied by the Mother Country or by the Colony, or in what proportions, I trust I need not assure you that every attention to economy shall be scrupulously observed.

I have, &c.

(signed) *G. F. Hill.*

Enclosure in No. 307.

Enclosure in No. 307.

Council of Government, 23 June 1834.

His Excellency brought under the consideration of the Board the subject of the new police force, and observed, that although he presumed the magistrates would arrive from England before the 1st of August, it would be indispensable that a portion at least of the police should be organized, and in readiness to aid the magistrates in the execution of their duty. He suggested that a sufficient force of serjeants and privates ought to be in readiness, to render the powers vested in the special magistrates efficient; and he thought that a proportion of the men might be procured from the disbanded West India regiment. To supply the serjeants, he hoped and believed the members of the Board would be enabled, from their intercourse with the various classes of society, to recommend individuals who might be known to them in point of character and qualification: in addition to good character, reading, writing and a capability of keeping accounts, must be required.

His Excellency was of opinion, that those persons should be embodied and disciplined for some time previous to their being separated and located in the respective districts, and therefore that it would be desirable to engage them as soon as possible. But his Excellency observed, that as a matter of course their pay must commence from the day they may be engaged, and that as he had not yet received instructions from His Majesty's Government from what fund this expense is to be supplied, he has deemed it not only advisable, but absolutely necessary to apply to the Council of Government to sanction the expenditure which will attend this proceeding, by an advance out of the Colonial funds, between this period and the 1st of August next, by which time, he had no doubt, he would be in receipt of explicit instructions upon the subject.

After a detailed explanation of the importance of the measure, and a full discussion on the proposition made by his Excellency, the Board came to the following resolution:

Resolved, That it is the opinion of this Board of Council, that it is imperatively necessary that immediate measures should be adopted for providing a police force in the several divisions and districts into which the Colony may be divided, so that the same may be made effective, and be ready to enter on the discharge of their duties on or before the 1st of August next; and that for this purpose it will be requisite that a number, not exceeding ten proper persons, should be forthwith engaged to act as serjeants of police, the pay not exceeding 4*s.* 4*d.* sterling per diem to each; and a number, not exceeding ninety, as privates of police, at the pay of 2*s.* 2*d.* sterling per day to each; and that all such persons to be engaged, either as serjeants or privates, should be armed and accoutred in such manner as his Excellency the Lieutenant-Governor may direct. And that all such persons should be forthwith employed in such exercises as may best fit them to discharge the duties which they will have to perform on the 1st of August next, at such place and under such regulations and directions, as his Excellency the Lieutenant-Governor shall think proper; and further, that the expenses to be incurred in carrying these measures into effect between this and the 1st of August, should, in consideration of the pressing necessity of having this force in readiness, and in the absence of any specific instructions to the Governor, be advanced by the Colonial Treasury, under the confident expectation that they will be repaid by His Majesty's Government, according to the 5th resolution of both Houses of the British Parliament.

No. 308.

—No. 308.—

Copy of a DESPATCH from Mr. Secretary *Spring Rice*, to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Colonial Office, 9 October 1834.

I have received your Despatch of the 26th of August, announcing the continued tranquillity of the Island of Trinidad, which, it is gratifying to think, may, in a very considerable degree, be attributed to the firm but prudent measures adopted by you; and respecting which it has already been my duty to convey to you His Majesty's gracious and marked approbation.

Whilst I cannot but regret that on any estates there should continue a sullen unwillingness to work, on the part of the apprenticed labourers, I feel every reasonable hope that the progress of those natural causes, which you so clearly and ably describe,

describe, will very soon lead to a development of a better feeling. The introduction of task work, contracted for on just and equitable terms, the application of the leisure hours of the labourers to work for money wages, cannot fail to impress upon the apprentices the value of industrious habits; and it may be anticipated, that under the operation of such a system, the productive industry of the Colony, and its wealth and resources, will suffer no diminution. I feel particularly gratified at the account you give me of the system of labour which is in progress; because it not only proves the good conduct of the labourer, but the humanity, prudence and discretion, with which the owners of those estates, to which your observations apply, are disposed to adapt their operations to the altered state of the law. TRINIDAD.

No engagement had been entered into, either by this office or by the British Legislature, with respect to police or gaol expenses. The payment of the stipendiary magistrates was alone provided for. It is true, that in the first proposition made by my predecessor, some assistance to the local police was involved. But when the proposed loan of 15,000,000 *l.* was converted into an absolute gift of 20,000,000 *l.* the other obligations of this country were limited and defined strictly as I have stated.

I have, &c.

(signed) *T. Spring Rice.*

— No. 309.— No. 309.

COPY of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart. to Mr. Secretary *Spring Rice.*

Sir, Trinidad, 26 August 1834.

I HAVE the honour to transmit, for His Majesty's approval, two rules passed by the Lieutenant-Governor and Council of Government of this Island, under the Order of His Majesty in Council, of 5 June 1834; viz.

Rule for fixing the time to be allowed to apprenticed labourers, for the cultivation of their grounds, and for apportioning their hours of labour. No. 1.

Rule to authorize the special justices to decide in a summary manner, in cases of complaints for non-performance or mis-performance of work by apprenticed labourers. No. 2.

I have, &c.

(signed) *G. F. Hill.*

Enclosures in No. 309.

Enclosures in No. 309.

TRINIDAD. No. 1.

RULES and REGULATIONS framed and established by his Excellency the Lieutenant Governor, by and with the advice and consent of the Council of Government, in pursuance of the powers vested in them by the Order of His Majesty in Council of the fifth day of June, one thousand eight hundred and thirty-four, for fixing the time to be allowed to apprenticed Labourers for the cultivation of their grounds, and for apportioning their hours of labour.

(L. S.) *G. F. Hill.*

WHEREAS by an Order of His Majesty in Council, bearing date the 5th day of June 1834, it was, amongst other things, ordered and provided, That it should be the duty of every employer of prædial apprenticed labourers, within the third week of the month of September of each year, to deliver or cause to be delivered to the special justice of the district in which such prædial apprenticed labourers are resident, a written declaration, specifying whether it is the intention of such employer, during the current year, to maintain his prædial apprenticed labourers by the cultivation of grounds to be to them appropriated for that purpose, or by an allowance of provisions; and also, that every prædial apprenticed labourer for or in respect of whom any ground should be appropriated and set apart for his support as therein mentioned, should, out of the annual time during which such prædial apprenticed labourer is by law required to labour after the rate of 45 hours per week as aforesaid, be allowed such number of hours not being fewer than four hours and a half per week, and not being more than seven hours and a half per week, as the Lieutenant-Governor, with the advice and consent of the Legislative Council, should, by rules to be framed for that purpose determine, which rules should be duly transmitted for His Majesty's approbation, and, until disallowed or altered, should remain in full force.

And whereas by the said Order of His Majesty in Council, it is further provided, that as regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, it should be lawful for the Lieutenant-

TRINIDAD.

Lieutenant-Governor, with the advice and consent of the Legislative Council, to make such regulations in respect thereof as might appear to them best adapted to promote the interests both of the apprenticed labourers and their employers, and to frame and publish rules and ordinances for that purpose, which should be duly transmitted for His Majesty's approbation, and which, until disallowed or altered, should remain in full force.

Now therefore I, the Right honourable Sir George Fitzgerald Hill, baronet, colonel of the Londonderry regiment of militia, Lieutenant-Governor and Commander-in-Chief in and over the said Island and its Dependencies, by and with the advice and consent of the Council of Government thereof, have made and established, for the purposes aforesaid, the rules and regulations following; that is to say,—

First.—That from and after the 15th day of September next ensuing, every prædial apprenticed labourer who, under the provisions of the said recited Order in Council, is to be supported wholly by the cultivation of land, shall be allowed, from and out of the time of 45 hours allotted to his employer, a portion of time for the cultivation thereof equivalent to four and a half hours per week, and such portion of time shall be allowed to each prædial apprenticed labourer either on any day or days in any one week, or by any number of days successively, at such period of the year as such employer may select: Provided always, That such number of hours so allowed to the prædial apprenticed labourer shall not at any time exceed 18 hours per week, unless with the consent of the prædial apprenticed labourer.

Second.—Every prædial apprenticed labourer who shall be maintained partly by an allowance of provisions and partly by an allotment of land, shall in each and every week receive from his employer three and a half pounds of dried salt or pickled fish, and shall have allotted to him a portion of land in all respects similar to that allotted to labourers wholly supported by such allotment; that is to say, One half acre of land, properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such apprenticed labourer, and shall be allowed for the cultivation thereof one half of the time allowed to labourers wholly supported by the allotment of land; that is to say, four and a half hours in each fortnight to be allowed by the employer in the same manner and under the like restrictions.

Third.—No prædial apprenticed labourer can be compelled to labour for his employer for more than 45 hours in any one week, equal to seven hours and a half per day, exclusive of Sundays.

Fourth.—The time at which the labour of the prædial apprenticed labourers is required, and the intervals to be allowed in its performance, shall be in the discretion of the employer, subject to the following regulations:—

That no apprenticed labourer shall be employed for more than 12 hours in any one day, to be reckoned from six o'clock in the morning to six o'clock in the following morning.

That proper intervals from labour of sufficient duration be allowed for the labourers' meals, and if any dispute should arise with respect to this regulation, the same may be decided by the special justice in a summary manner.

That the master or employer shall be bound to give previous intimation to the apprenticed labourer of the time and place at which and where his services will be required, and the number of hours during which his services will be required, on the following day, and of the intervals to be allowed for his meals.

That the employer shall also, by some signal to be distinctly audible or visible to the labourer, and explained to and understood by him or her, intimate the time of beginning and ending of the hours of labour and of the intervals to be allowed for meals.

That no prædial apprenticed labourer shall be compelled or compellable to labour on Sundays, except attending on the sick or as watchman, or in the tending and care of cattle or in the protection of property, or in duties of absolute necessity.

Passed in Council this 31st day of July 1834.

Philip D. Souper, Colonial Secretary.

TRINIDAD. No. 2.

RULES and REGULATIONS framed and established by his Excellency the Lieutenant-Governor, by and with the advice and consent of the Council of Government, in pursuance of the authority vested in them by the Order of His Majesty in Council of the 5th of June 1834, for the procedure of special Justices in cases of complaints for non-performance or mis-performance of work by apprenticed Labourers.

(L. S.) *G. F. Hill.*

WHEREAS by the Order of His Majesty in Council, bearing date the 5th day of June 1834, certain provisions are made for regulating the procedure of the special justices therein named; and it is also thereby enacted and provided, that if it should be made to appear to the satisfaction of the Lieutenant-Governor and Legislative Council that the forms of proceeding hereinbefore prescribed, are needlessly burthensome upon the justices of the several districts within the Colony, or of any one or more of such districts, or that they impede or interfere with the prompt and effective execution of the law, the Lieutenant-Governor, with the advice and consent of the Legislative Council, should be entitled to suspend any part of the preceding Rules relating to such procedure, or to adapt the same to the circumstances of

of the case, so as more effectually to promote the punctual, orderly and effective execution of the law, and, for that purpose, to frame and publish rules and ordinances, which should be transmitted for His Majeety's confirmation, and which, until disallowed, should be in full force.

And whereas it has been made to appear, to the satisfaction of his Excellency the Lieutenant-Governor and the Council of Government of the said Island, that the forms of procedure prescribed by the said Order in Council will, in the cases hereinafter mentioned, be needlessly burthensome upon the justices in the several districts: Now therefore I, the Right honourable Sir George Fitzgerald Hill, baronet, colonel of the Londonderry regiment of militia, Lieutenant-Governor and Commander-in-Chief in and over the said Island and its Dependencies, by and with the advice and consent of the Council of Government of the said Island, have made and established the following Rules for regulating the procedure of the special justices in the said Order in Council mentioned, in the cases hereinafter mentioned; that is to say,

The special justices shall and may hear and determine in a summary manner all complaints of indolence and neglect of, or of the non-performance or imperfect performance of work by apprentices: in all such cases it shall be sufficient for him to examine the parties and the witnesses, and when necessary the work to be performed in a short and summary manner, and thereupon to give his decision, and cause the same to be carried into immediate execution.

In all such cases the special justice shall be bound to reduce into writing and to deposit with the other records of proceedings before him, the particulars of the complaint and the substance of the evidence, and of his decision and of the execution thereof within as short a time as possible, and at furthest within three days after the same has been decided, and shall enter the particulars thereof in his journal.

Passed in Council this 31st day of July 1834.

Philip D. Souper, Colonial Secretary.

— No. 310. —

No. 310.

Copy of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill*, Bart. to Mr. Secretary *Spring Rice*.

Sir, Trinidad, 3 September 1834.

THE reports made to me from most parts of this Colony announce a return to work by the apprentices, with contentment.

I enclose one of these reports from an intelligent gentleman, Mr. Schack, whom I had sent, as one of the appraisers, to the south-west coast, Cedros and Irois.

My expectation is, that in a short time all the labour will be performed by task, and the apprentices will have many extra hours to dispose of for wages.

I have, &c.

(signed) *G. F. Hill.*

Enclosure in No. 310.

Enclosure in No. 310.

Sir, Port of Spain, August 30th, 1834.

Your Excellency having been pleased to request that I should communicate in writing the condition in which I found the apprentices in the quarters which I recently had the honour to visit, I regret much that the very short stay made by me in each quarter will prevent my giving much information upon the subject.

Had I known that a report from me would have been matter of satisfaction, that stay, however short, would have been employed in making minute inquiry, so as to afford your Excellency more ample information than I am at present able to offer.

Such intelligence as I have acquired I now proceed to convey, it being no less my duty than it is gratifying to my feelings to meet your Excellency's wishes.

I left the town of Port of Spain, for the purpose of classing the apprentices of my district, in the evening of the 13th instant, landed at Irod at six o'clock in the morning of the 14th, and, after traversing the woods, reached the cane fields of the Chatham estate, in the quarter of Erin, at a few minutes after 10, when I saw the apprentices of that estate advancing towards their habitations. I inquired if they were going to their breakfast, and was informed that they had finished their task, and were then returning home to do whatever they pleased.

Of the correctness of this answer I am convinced, because I remained on the estate during the remainder of that day, and no more work was done. In addition to this, when I proposed that the apprentices should be assembled for the purpose of classification, the manager replied that he could not answer for the presence of the whole gang, as many had gone to their provision grounds, and others were off the estate to procure from their neighbours some articles they required.

TRINIDAD.

The next day I left the Chatham estate, and repaired to the quarter of Moruga, after classing the apprentices, Mr. Lumis, the commandant, requested that I would interpret and explain to them the Act of Parliament, as he had not yet received a copy; this I did in the Negro French dialect; after which they asked me various questions, in order that no misunderstanding might exist. I answered them, and they retired apparently well satisfied. In the evening they gave a grand Bel-Air Dance, to testify their joy upon the occasion, and the commandant, to assist them, gave a portion of his household provisions.

The only part which failed to please them was, that they would have to work on the Saturday, if they did not perform more than 7 ½ hours work on the other days of the week; however I told them that they might agree with their employers before a special justice to undertake task work, or probably arrange with him to labour nine hours a day during five days of the week.

I then left Moruga and proceeded to Cedros, where the apprentices appeared satisfied. On the Union Estate, the property of Messrs. Beque and Agarrat, they appeared content and happy; they have entered into an engagement with their employers, which I have read myself; I have heard it read to them, they understood it well, and it has been regularly executed.

The covenants are as follows:

1st. The apprentices are to do the same task work as heretofore, but only during five days of the week, the Saturday being allowed them throughout the year. The task being the weeding of 200 tufts of canes.

I have seen the apprentices return to their homes, after finishing the above task, between the hours of twelve and two o'clock, having commenced at about six in the morning.

2d. During the crop, the apprentices are to work also as heretofore; that is to say, they are to commence at about six o'clock in the morning, and furnish four or five coppers; this I am told does not occupy them after sunset.

3d. As the apprentices will be bound to work on the Saturday during the crop, the employers will pay them for that day at the following rate.

To cane cutters, persons employed about the mill, and crook boys, four bits each.

To the refiners, the captain of the crooks and the driver, five bits each.

Each person employed in cutting canes to deliver daily 20 mule loads, which the muleboys are bound to carry to the mill.

4th. The employers will, in addition to all that is allowed *by law*, supply the apprentices with as much land as they can cultivate, and twice a year each apprentice will receive three pounds and a half of salt pork or beef, two pounds of tobacco and pipes.

5th. The apprentices will receive daily, out of crop, one glass of rum, and during crop, two glasses.

6th. The free children of the female apprentices on the estate will be maintained at the expense of the proprietors.

Several more of these engagements I have seen ready to be executed as soon as a magistrate visited the estates. Many of the proprietors informed me it was their intention to enter into similar arrangements, with which the apprentices were perfectly satisfied.

This, your Excellency, is all the information I can furnish; I did not seek for it, but it presented itself to me. Appearances are certainly favourable. Every thing seemed perfectly quiet, and that they may continue so, no one can more sincerely hope than

Sir, your Excellency's most obedient
and very humble servant,
(signed) *Edward Schack.*

To his Excellency Sir G. F. Hill,
Lieut.-Governor, &c. &c. &c.

No. 311.

— No. 311. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Sir *G. F. Hill*, Bart. dated Colonial Office, 23 Oct. 1834.

I HAVE this day received your Despatch of the 3d of September.

I again resume the gratifying duty of expressing to you the extreme satisfaction which your reports of the tranquillity of Trinidad, and the industry of the labourer cannot fail to produce.

The system of task work, which you describe as extending in the Colony, is precisely the mode by which the new state of society may be rendered most advantageous and satisfactory to all parties; care being at all times taken that such contracts are equitable in themselves, and are carried steadily into effect.

No. 312.

— No. 312. —

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill*, Bart. to Mr. Secretary *Spring Rice*, dated Trinidad, 3 January 1835.

I AM sure you will receive with satisfaction my report of the universal good conduct of the apprentices during the festivities of the holidays; in fact, all classes of society have enjoyed themselves with cheerfulness and good order.

— No. 313. —

TRINIDAD.

No. 313.

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill*, Bart. to the Right honourable the Earl of *Aberdeen*, dated Trinidad, 3 March 1835.

I HAVE been occupied in diligent inquiry, both by personal investigation, and queries and correspondence by letter, into the state and disposition to work of the apprenticed labourers, and with sincere pleasure I have the honour to assure your Lordship, that in all the districts, with very small exception, the apprentices give their labour, so far as the crop has hitherto proceeded, with cheerfulness, and to the satisfaction of the planters.

But this general disposition to work I must consider attributable to the wages paid for extra labour, although on a few estates the apprentices will not, for any hire, work beyond the Parliamentary hours.

I have not the least doubt in this matter that a favourable change will take place.

The disposition of the apprentices I attribute to the abolition of party spirit between the different classes, to the exposure of the mischievous efforts of a few agitators, and to the readiness with which I had every complaint heard, and when just, redressed.

— No. 314.—

No. 314.

COPY of a DESPATCH from Mr. Secretary *Grant* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Colonial Office, 28 April 1835.

I HAVE had great satisfaction in learning from the latter part of your Despatch of the 3d March, that the apprenticed labourers of the Colony under your Government were at that time working with cheerfulness, and exhibiting a disposition, from which you were led to believe that the few exceptions which now exist to the willingness of the apprentices to work for wages in extra time, would not be of long continuance.

I have, &c.

(signed) *C. Grant.*

—No. 315.—

No. 315.

COPY of a DESPATCH from Lieutenant-Governor Sir *George F. Hill*, Bart., to the Earl of *Aberdeen*.

My Lord, Trinidad, 24 April 1835.

IN compliance with your Lordship's Despatch, dated the 16th ultimo, with the extract of an Order of the House of Commons, dated the 12th March instant, enclosed therein,—

I have the honour to transmit to your Lordship herewith a statement of the corporal punishment inflicted on the apprenticed negroes between the 1st of August and 31st of December 1834, the latest period to which it can be made up.

I have deemed it prudent to distinguish the punishments inflicted in the month of August, from those during the remaining four months of the year.

Upon contrasting the punishments in the former period of one month (when every species of insidious misrepresentation was used by a few desperate characters to mislead the apprentices), with the latter period of four months, I am induced to anticipate that progressively the necessity of corporal punishment will almost entirely cease.

I feel the more encouraged to indulge this pleasing prospect, by the reports I constantly receive from the different estates; in almost all of them the proprietors have exerted themselves (and with much success) to induce the apprentices to employ their extra hours in their service for wages.

The regularity of payment, coupled with the friendly advice of the local special magistrates, have generally inspired the apprentices with confidence, and will eventually produce that respect towards their employers from kind feeling, which heretofore was the result of fear.

I have, &c.

(signed) *G. F. Hill.*

TRINIDAD.

Enclosure in No. 315.

Enclosure in No. 315.

STATEMENT of CORPORAL PUNISHMENT inflicted on the APPRENTICED NEGROES in the Island of *Trinidad*, between the 1st day of August and 31st day of December 1834, as required by Resolution of the House of Commons.

DEGREE of PUNISHMENT.		Number of Persons Punished,	
		In August 1834.	Between the 1st September and 31st December 1834.
Stripes	39	77	4
,,	34	1	—
,,	30	49	92
,,	29	1	—
,,	25	18	17
,,	24	1	—
,,	22	3	—
,,	20	14	42
,,	19	1	1
,,	17	2	—
,,	16	1	—
,,	15	125	90
,,	12	3	4
,,	10	4	4
,,	9	1	2
,,	7	-	1
,,	6	-	2
		301	259

Trinidad, 24 April 1835. (signed) *G. F. Hill.*

No. 316.

—No. 316.—

EXTRACT of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill*, Bart. to the Earl of *Aberdeen*, dated Trinidad, 22d May 1835.

AS I am aware of the anxiety of His Majesty's Government, to be occasionally informed of the conduct of the apprenticed labourers, I have felt it to be my duty to make strict inquiry from the special justices and intelligent persons in the different districts, in what manner labour is carried on, and with what degree of satisfaction to the planter and cheerfulness by the apprentices.

The sugar crop is now more than three-fourths finished; will produce (I expect) as much revenue as last year, and with general contentedness on the part of the apprentices.

I delight to remark that punishments have materially decreased; on some estates none have been inflicted since October last; and I entertain a strong belief that there is an advance towards a moral improvement, which, if carefully promoted, will realize the most sanguine hopes of the promoters of the important change effected on the 1st of August last.

After my next visit through the districts of the Colony, I will make a detailed Report on the condition of the population of the country.

No. 317.

— No. 317. —

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 15th June 1835.

WITH reference to my circular Despatch of this date, in which you are instructed to revoke the special commissions which have been issued to persons interested in apprentice labour or locally connected, I have to acquaint you, that in order to facilitate this measure and guard against immediate inconvenience, I shall take measures for sending out, with as little delay as possible, four additional paid magistrates, and I trust that the active and undivided exertions of this additional number of stipendiary

For Circular *vide* Second Part of Parliamentary Papers, No. 278. Page 8.

diary special magistrates will go far to compensate for the loss of services which must have been comparatively ineffective, owing to the time of the parties having been necessarily engrossed by their private occupations. TRINIDAD.

I have, &c.
(signed) *Glenelg.*

— No. 318. — No. 318.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 15th June 1835.

IN your Despatch of the 24th July 1834 addressed to Mr. Lefevre, you reported as follows:—

"In each of the eight country districts, I have selected the most respectable inhabitant residing in a central situation to be the acting superintendent special justice, until the arrival of the functionaries from England; under these eight gentlemen I have appointed 92 special justices.

"One other acting superintendent special justice and a due proportion of special justices have been appointed for the Port of Spain district."

In the return which you have annexed to your Despatch of the 27th April, you state the number of unpaid special justices as 29.

I have to request that you will explain the cause of the difference between these two statements.

I have, &c.
(signed) *Glenelg.*

— No. 319. — No. 319.

COPY of a DESPATCH from Lieutenant-Governor Sir *G. F. Hill*, Bart. to Lord *Glenelg*.

My Lord, Trinidad, 18th July 1835.

IN obedience to your Lordship's Despatch, dated 15th ultimo, which requests me to state the cause of the difference between two statements which I made, the *first* on the 24th July 1834, wherein I reported that I had appointed 92 special justices, and the *second* on the 27th of April 1835, in which was contained a return of *local* magistrates, who had been appointed special magistrates, amounting to twenty-nine. My Despatch of July 1834 stated the number of special justices I had then appointed, with my reasons in detail for having appointed so many.

The Return forwarded in my Despatch dated 27th of April was made in strict conformity with the Order of the House of Commons, which required a return of *local* magistrates who had been appointed special magistrates.

I confined that return strictly to the terms of the Order, which I have hitherto found to be the most correct and convenient mode of compliance.

But to prevent misapprehension, I introduced a paragraph into that Despatch in the following words: "exclusive of the local magistrates, (viz. commandants and adjoint commandants) who were appointed special, there were others also named who have acted," alluding to those I had named in July 1834.

In conclusion of my Despatch of 27th April last, I state my intention of reducing the number of unpaid special magistrates to twenty-seven.

I trust this explanation may be satisfactory.

I have, &c.
(signed) *G. F. Hill.*

Return presented to Parliament and ordered to be Printed 24 July. Paper, No. 419.

— No. 320. — No. 320.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor Sir *G. F. Hill*, Bart.

Sir, Downing-street, 3d August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ultimo, declaring that adequate and satisfactory provision hath been made in the Colony of Trinidad for giving effect to an Act of Parliament made in the third and fourth year of His present Majesty for the Abolition of Slavery.

I have, &c.
(signed) *Glenelg.*

Order in Council, 31 July 1835. Printed in the Appendix (B.) No. 17.

S T. L U C I A.

— No. 321. —

Copy of a DESPATCH from Governor *Farquharson* to Mr. Secretary *Stanley*.

ST. LUCIA.
No. 321.

Sir, St. Lucia, 2 August 1833.

I do myself the honour of acknowledging the receipt of your circular Despatch of the 13th June last, enclosing a copy of a series of Resolutions by the House of Commons on the subject of the Abolition of Slavery in the British Colonies, which came to hand on the 14th ultimo.

Vide Papers printed by Parliament, 15 April 1835, Part I. No. 177, p. 5.

I have postponed acknowledging this Despatch till the day of the sailing of the packet, in order that I might be enabled to ascertain as far as possible, and report upon the feelings of all concerned in this important measure.

On the receipt of the Despatch mentioned I lost no time in transmitting to the Judges the extract therefrom in which they are principally concerned, and called upon them to "engage immediately in an inquiry by what enactments the existing law may be most conveniently adjusted to a state of society in which slavery will be unknown."

All the proprietors and managers of slaves in this Colony appear to me extremely anxious to learn the ultimate decision of both Houses of Parliament upon this momentous measure, to the wisdom of which they appear calmly resigned, in consequence, as I presume, of the fairness of so much of the conditions as have already transpired, and as far as I have been able to collect their sentiments and to enter into their feelings, they seem apprehensive only that the apprentices will not give them a sufficient quantity of labour to enable them to bring their crops to market.

On the other hand, I am happy in having to state, that, generally speaking, the slaves in this Colony have shown no insubordinate disposition since His Majesty's gracious intentions towards them have become publicly known, although upon some of the estates an evident relaxation in their labour did manifest itself amongst a few of each gang; in consequence of which I sent the Protector of Slaves to admonish those persons, which service he readily performed, and found the circumstances of so trivial a nature as to require no specific report. Nevertheless, in order to induce the slaves to continue their labours uninterruptedly, I published a notice, of which a copy accompanies this, apprising them of the bad consequences likely to result to themselves from any insubordinate or indolent conduct on their part.

Notwithstanding that I do not apprehend any serious opposition to the measures of His Majesty's Government on the part of either proprietors or slaves, I shall hold in readiness every means at my disposal, and use every personal exertion in enforcing the laws and maintaining the tranquillity of the Colony.

I have, &c.
(signed) *J. A. Farquharson*, M. Gen[l]. Governor.

(Enclosure in No. 321.)

Government Notice.

Castries, 12 July 1833.

Enclosure in No. 321.

Under existing circumstances, the Governor considers it proper to direct, that all proprietors and managers of slaves throughout this Colony shall impress upon the minds of those under their superintendence, either immediately before or after prayers, once a week, for six weeks successively, that

The slaves will best deserve and ensure the favour of the mother country by a cheerful and peaceable submission to the existing laws, and by continuing to labour industriously for their employers and for themselves; and that by any manifestation of turbulence and disorder they may forfeit the advantages which His Majesty is anxious to confer upon them.

By his Excellency's command.
(signed) *Geo. Lowen*, Col. Sec[y].

— No. 322. —

COPY of a DESPATCH from Governor *Farquharson* to Mr. Secretary *Stanley*.

Sir, St. Lucia, 24 October 1833.

No. 322.

I HAVE the honour of acknowledging your circular Despatch of 5th September last, informing me that in your Circular of the 26th June preceding you had enclosed, for my information, copies of the Resolutions adopted by both Houses of Parliament on the subject of Colonial Slavery, (which I duly received,) and announcing the intention of His Majesty's Government to introduce a Bill into Parliament for the purpose of giving effect to those Resolutions; which design having been executed, I have now the honour of acknowledging receipt of 25 copies of the Statute which had passed into a law on the 28th August last, and, according to your desire, have caused them to be distributed among such of the principal inhabitants of this Colony as I consider most deeply interested in this subject.

Vide Papers printed by Parliament, 15 April 1835, Part I. No. 177, p. 8.

I have also the honour of acknowledging the receipt of a Proclamation, approved by His Majesty in Council, upon the same subject, which I lost no time in causing to be promulgated for general information in the most public and authentic manner, and shall not fail to pay the utmost attention to all the suggestions contained in the circular Despatch now acknowledged.

I have, &c.
(signed) *J. A. Farquharson*, M. G^l. Governor.

— No. 323. —

COPY of a DESPATCH from Governor *Farquharson* to Mr. Secretary *Stanley*.

Sir, St. Lucia, 25 November 1833.

No. 323.

I HAVE had the honour to receive the Crown Circular of the 19th ultimo, which you have transmitted, accompanied by the draft of an Order in Council of the same date for the Colony of British Guiana, having for its object to bring into one view the various legislative measures which yet remain to be taken to carry into effect the Act for the Abolition of Slavery in the British Colonies.

Vide Papers printed by Parliament, 15 April 1835, Part I. No. 177, p. 11.

In consequence I assembled a Legislative Council this day, and laid before the members the said document for their most serious and deliberate consideration.

After both had been perused, the members were unanimously of opinion that it would be desirable they should weigh the matter in their minds for a few days, and requested a delay for that purpose, which I considered reasonable, and therefore directed that the Assembly should be convened on Monday the 2d December next, when I am inclined to hope that the members will apply themselves to the consideration of this important subject in a spirit of frank and cordial co-operation with the views of His Majesty's Government, the result of which I shall do myself the honour of transmitting to you by the earliest opportunity.

I have, &c.
(signed) *J. A. Farquharson*, M. G^l. Governor.

— No. 324. —

COPY of a DESPATCH from Governor *Farquharson* to Mr. Secretary *Stanley*.

Sir, St. Lucia, 31 December 1833.

No. 324.

REFERRING to your Crown circular Despatch of the 19th October last, accompanied by the draft of an Order in Council of same date, for the Colony of British Guiana, having for its object to bring into one view the various legislative measures which yet remain to be taken to carry into effect the Act for the Abolition of Slavery in the British Colonies, and to my communication of 25th ultimo, in acknowledgment thereof, I have now the honour of transmitting to you herewith a Report from a Committee of the Legislative Council, giving their

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their own and the opinions of the principal inhabitants touching the measures proposed, together with such extracts from the Minutes of the Legislative Council as regard this matter, whereby you will be pleased to perceive it has been unanimously resolved that such enactments should emanate from home, and that the same has been respectfully submitted to the discretion of His Majesty's Government.

I have, &c.
(signed) *J. A. Farquharson*, M. G^l. Governor.

(Enclosure in No. 324.)

EXTRACT from the MINUTES of the Legislative Council of 2d December 1833.

Enclosure in No. 324.

HIS Excellency the Governor having then brought before the Council the subject of the Crown circular Despatch, dated Downing-street, 19th October 1833, his Honour the Chief Justice moved, that the circular Despatch and its printed Enclosure be referred to a committee of the unofficial members of the Council, to report as to the alterations or amendments in the proposed enactments which it may be desirable to adopt in St. Lucia, with liberty to advise with such of the inhabitants and planters as they may think fit to call to their assistance, which, having been seconded by the Honourable Villiers Surtees, was agreed to.

His Excellency the Governor was then pleased to name the unofficial members to form such committee, of whom any three to be a quorum, and requested them to present their report this day three weeks.

23 December 1833.

The Honourable James Macfarlane brought up the report of the committee of the Legislative Council, named by his Excellency the Governor at the last sitting, for the purpose of taking into consideration the draft Order in Council referred to in the circular Despatch of the Right Honourable the Secretary of State for the Colonies, dated 19th October last, and to report as to the alterations or amendments which it may be desirable to adopt in St. Lucia. His Excellency was pleased to order the report to be read. It was read accordingly, as follows. (*See* document (B.) annexed.)

His Honour the Chief Justice then moved, that the report be taken into consideration at the next meeting of Council, which was seconded by the Honourable S. Villiers Surtees, and agreed to.

30 Dec. 1833.

The report of the committee of the Legislative Council on the draft Ordinance referred to in the Crown circular Despatch of the 19th October last was then taken into consideration.

The Honourable Villiers Surtees moved the following resolution, seconded by his Honour the Chief Justice:

Resolved, That the committee of this Board, to whom it was referred to make a report on the subject of the legislative enactments for this Island rendered necessary by the Act of Parliament abolishing slavery, not having offered any suggestions on the intended plan or modifications of its provisions, this Board considers it expedient that such enactments should emanate from home, and respectfully submits the whole matter to the discretion of His Majesty's Government.

Which was agreed to, *nem. con.*

(Certified true extracts.)
(signed) *Geo. Lowen*, Col. Secy.

(B.)

St. Lucia, 23 Dec. 1833.

THE undersigned, members of the committee appointed by the Governor and Council to report as to the alterations or amendments which it might be desirable to adopt in St. Lucia in the draft Order in Council for British Guiana, referred to in the Crown circular Despatch of the 19th October 1833, having communicated with the planters, and having heard their observations and opinions thereon, have come to the following conclusion:

That as all legislation originating in the Colonies respecting the labourers is liable, in the present excited state of the British people, to be misconstrued or viewed with suspicion, the undersigned recommend that the legislative enactments for this Island should continue, as heretofore, to emanate from the mother country.

Such seems to be the wish of the inhabitants of this Colony, who appear prepared to give the enactments a fair and dispassionate trial; and in the event of such enactments not answering the expectations of the mother country, and occasioning the total loss of their property, they must throw themselves upon the mercy of the Imperial Parliament and British people for their support hereafter.

(signed) *Peter Muter.*
James Macfarlane.
P. Smith.
G. De Laubenque, fils.

— No. 325. —

Copy of a DESPATCH from Mr. Secretary *Stanley* to the Officer administering the Government of *St. Lucia*.

Sir, Downing-street, 22 May 1834. No. 325.

Sir Dudley Hill, who will leave this country in a few days for St. Lucia, will take out with him an Order in Council for the Colony of St. Lucia, supplementary to the Act of the British Parliament for the Abolition of Slavery.

The intended provisions of this Order in Council are nearly the same as those which were contained in the model draft transmitted to your predecessor with my Despatch of the 19th October last, with the exception of a few modifications and alterations which have been introduced in consequence of the suggestions which I have received from some of the West India Colonies to which the same model draft was communicated.

Although I shall have an opportunity of giving full instructions to Sir D. Hill on this important subject, I think it right in the meantime to call your immediate attention to some points connected with the division of the Colony of St. Lucia into judicial districts, and with the establishment of a police, in order that you may, with the assistance of the Legislative Council, make some progress in the consideration of these preliminary measures before Sir D. Hill's arrival.

You are aware that the British Act for the Abolition of Slavery authorizes the appointment of special justices, but limits the number of those who are to receive the salaries granted by Parliament to 100. In the distribution of these stipendiary justices amongst the Colonies for whom they are intended, I find that I can only allot two for the Colony of St. Lucia. Although the Lieutenant-governor will be instructed to select from amongst the proprietors and others resident in the Colony a sufficient number of voluntary magistrates, and although I entertain no doubt of obtaining their assistance and co-operation, yet the principal share of the labour and superintendence must necessarily devolve upon the two who are remunerated for their services. It will, therefore, be desirable to divide the Colony of St. Lucia into two districts, placing one of them in the charge of each of the stipendiary magistrates. I think, however, from the size of the Colony and the difficulties of internal communication, that two police settlements will be necessary for each district. The stipendiary justice must of course reside at or near to one of these, which must be placed under his immediate charge. That at which he does not reside must be confided to one or more of the other special justices, subject to the general superintendence and frequent visitation of the stipendiary justice. As it will be impossible for some months to erect and complete the buildings necessary for police settlements, it is proposed that, as in most of the other Colonies, temporary arrangements should be made for the police, and for places of safe custody and correction, by hiring buildings which may be convenient for that purpose.

With regard to the police, I am disposed to consider it of much more importance that it should be composed of effective and competent persons, rather than that it should be numerous. Independent of the police necessary for the town of Castries, I should conceive that it would be sufficient to appoint seven or eight to each station, besides the serjeants. These, with the assistance of constables, whom it is proposed that the stipendiary magistrates should have the power of appointing from amongst the apprentices on the plantations, if necessary, will probably be found adequate for the enforcement of the law and the protection of property in ordinary cases.

I am well aware that the expenditure necessarily incidental to the formation and support of the police establishments will tend to increase the financial difficulties of the Colony of St. Lucia, and I regret that I cannot hold out any hope that these difficulties will be removed by pecuniary assistance from this country.

I can assure you, however, that it is my most anxious desire to afford to the Colony whatever relief can arise from the reduction of its expenditure to the furthest point which is attainable with a due regard to the performance of the

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public services which are necessary for the welfare of the Colony. I fear, however, that I shall not be able to give any definitive instructions on the subject of the finances of St. Lucia until I have received the Blue Book for the year 1833.

I have, &c.
(signed) *E. G. Stanley.*

— No. 326. —

COPY of a DESPATCH from Mr. Under-Secretary *Lefevre* to the Officer administering the Government of *St. Lucia.*

Sir, Downing-street, 7 June 1834.

No. 326.

IN the unavoidable absence of Mr. Secretary Spring Rice, I have the honour to transmit to you an Order which has been passed by His Majesty in Council "for giving effect in the Island of St. Lucia to the Statute 3 & 4 Will. 4, c. 73, for the Abolition of Slavery."

Order in Council, 5 June 1834; printed in the Appendix (B.) No. 56.

I am, &c.
(signed) *John Lefevre.*

— No. 327. —

COPY of a DESPATCH from Lieutenant-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice.*

Sir, Government House, St. Lucia, 1 August 1834.

No. 327.

I HAVE the honour to acquaint you that I arrived here on the 12th of last month, and having first, with the usual formalities, been sworn into office on that day, assumed the government of the Colony.

Having learned that much anxious doubt existed in the minds of the proprietary body on the probability of their labourers continuing subordinate under the great change in their social condition which takes effect from this day, I judged it expedient to issue the enclosed Proclamation, marked No. 3, for the purpose of not only imparting confidence to holders of property, but also of apprizing the negroes that without loss of time they should from my own lips receive an authentic account of the nature and extent of the privileges for which they were looking, naturally enough, with the most intense interest; and I was of opinion that a personal communication with them, deriving efficacy from those full and repeated explanations of which an oral address admits, would be the most successful mode of satisfying their expectations; and accordingly my intention to visit them was announced in the above-mentioned Proclamation, which I have now the honour to transmit.

The proper order of the narrative of my proceedings since my arrival should lead me to mention to you here the various transactions in Council with which I was constantly occupied in the interval between the publication of the document and the fulfilment of the promise it contained to make a tour through the Island. Yet, knowing that the conduct of the labouring population at the moment of transition from slavery to freedom is a subject on which the attention of His Majesty's Government is fixed with deep anxiety, I hasten with the most heartfelt satisfaction to express my conviction that the visit has realized the views which urged me to undertake it, and that the most favourable anticipations may be indulged respecting the continuance of tranquil and orderly behaviour on the part of the negroes of this Island.

As the substance of my address to them appears to be correctly reported in the Island papers, I beg leave to forward one for your perusal; and I have only to add, that in the several districts of the Colony I had much reason to be satisfied with the manner in which it was received by all parties.

I have the honour also to forward two other Proclamations, which were made public at the time of my Address. The one marked No. 5 holds out pardon to absentees from the service of their masters, provided they return to their duty immediately, and warns them against incurring the prolonged term of apprenticeship to which their absence will subject them.

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The other, marked No. 4, sets apart this day as sacred to the religious acknowledgment of the boon of freedom. The contents of both these Proclamations were hailed by the people with lively satisfaction and becoming feeling, and I trust they may also meet the honour of your approval.

I did not fail to avail myself of this opportunity minutely to inspect the whole of the militia, and I have used my best exertions to infuse a zealous spirit into both officers and men, and I am not without a sanguine hope that I shall shortly be able to place this force in a more respectable and efficient state than it is in at present.

I have already made application to Barbadoes for a partial supply of arms and accoutrements, of which they stand much in need, as also of clothing.

I now beg leave to advert to the proceedings of the Council, and to state that I have been under the necessity of making all the arrangements for the new system with more haste than I could have wished, but at the same time with a confident hope that they are the best of which existing circumstances and the urgency of the case would permit.

No stipendiary magistrates having arrived, I have named three gentlemen of the Colony to fill provisionally those offices, receiving the emoluments attached to them, and have also prevailed upon three others to accept the situation of voluntary magistrates under the superintendence of the stipendiaries.

I found it impossible, with any regard to the safe operation of the Act of Parliament, to divide the Colony into fewer than three districts, with three police stations in each district.

I have also the honour to state to you that these police stations are for the present to be occupied by men selected from the militia, for not only have I wanted time to organize the new police, but I have had to contend against a repugnance to enter into that service in consequence of the disrepute into which the ordinary police of the country seems to have fallen.

The present temporary police whom I have appointed consist of nine serjeants and 45 privates; and it may be as well to remark that their duties have been clearly defined to them as being of a civil and not of a military kind, and strictly confined to the description set forth in the King's Order in Council of 5th June last, and to the directions which, in pursuance of that Order, may be issued to them by the stipendiary magistrate.

To the Order in Council every publicity has been given, and all magistrates have been furnished with copies.

I have been under the necessity of detaining the mail-boat somewhat beyond her usual time of sailing, in order to send this Despatch, which, though hastily written, will I trust be acceptable to you as containing an assurance of the undisturbed tranquillity of the Island at this important crisis; and for any omissions in this communication, I must plead my very recent return from the country, the very great and harassing labour that has devolved upon me in consequence of the total absence, prior to my arrival, of any settled arrangements under the new system, and my actual employment in ushering in this day with the honours appropriate to the happy change of which it is the memorable epoch.

I have, &c.
(signed) *Dudley Hill*, Lieut.-governor.

Enclosure 1, in No. 327.

St. Lucia.—(No. 3.)

PROCLAMATION by his Excellency Sir *Dudley St. Leger Hill*, Knight, &c. &c. &c.

Enclosure 1, in No. 327.

His Majesty having been graciously pleased to appoint me to the distinguished situation of Lieutenant-governor of this Island, I embrace the earliest opportunity which has occurred since my arrival to announce my deep conviction that there can be no pursuit more closely connected with my public duty, and I will add, nor any more consonant to my own individual feelings, than that of devoting my best exertions to the promotion and security of peace, good order and happiness amongst all classes of His Majesty's subjects in this Island; and, fully sensible of the vital importance of obtaining the effectual aid of all parties to render the operation of the Act for the extinction of slavery beneficial to the proprietors and advantageous to the apprenticed labourers, it is my intention, in furtherance of this important object, to visit the several districts of the Colony at the earliest period at which the public service may permit of an absence from the seat of government, and then personally

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personally to give an assurance of my firm determination to vindicate, on every occasion, the supremacy of the law over us all, without distinction of colour or station; to repress with speed and vigour any attempt at insubordination; and especially to invite from the proprietary body their honest co-operation in guiding to a successful issue the changes which are about to take place in our social system, and to inculcate upon the labouring population the just right which the Imperial Parliament and our local Legislature have to demand from them, on principles of gratitude and duty, the most tranquil and orderly submission to such laws as may have been framed for their government in a state of industrious freedom.

Given under my hand and seal of the said Island, this 12th day of July, in the fifth year of His Majesty's reign, and the year of our Lord 1834.

By his Excellency's command.

(For the Acting Colonial Secretary),

H. E. F. Young.

Enclosure 2, in No. 327.

St. Lucia.—(No. 4.)

PROCLAMATION by his Excellency Sir *Dudley St. Leger Hill*, Knight, &c. &c. &c.

Enclosure 2, in No. 327.

WHEREAS it is at all times our bounden duty to render thanks to Heaven for the mercies extended to us: and whereas at this period the greatest temporal blessing is conferred upon a large portion of the population of this Island by the Abolition of Slavery, and the consequent change, to the adult negro, from hereditary perpetual bondage to a system of moderate labour for a limited time, carrying with it to his offspring under six years of age, and to his children's children for ever, the enjoyment of unrestricted freedom:

I have thought fit to direct, by this my Proclamation, that Friday the 1st day of August next ensuing, be observed in all churches and chapels as a day of general thanksgiving to Almighty God, for having in his infinite wisdom visited the people of this land with so gracious a dispensation of his good providence, and likewise of humble intercession and fervent prayer that He may be pleased mercifully to further this important change to a peaceable and happy end.

And I do hereby request and enjoin that the said 1st of August next ensuing be observed by all classes with the same reverence that is due to a Sabbath-day.

Given under my hand and seal of the said Island, this 25th day of July, in the fifth year of His Majesty's reign, and the year of our Lord 1834.

By command.

(For the Acting Colonial Secretary),

H. E. F. Young.

Enclosure 3, in No. 327.

St. Lucia.—(No. 5.)

PROCLAMATION by His Excellency Sir *Dudley St. Leger Hill*, Knight, &c. &c. &c.

Enclosure 3, in No. 327.

WHEREAS it has been represented to me that there are at this present time many slaves absent without leave from the service of their masters, I have thought it fit to issue this my Proclamation, calling upon all such runaways to return forthwith to their duty, when an act of clemency will be extended towards them; otherwise they will be subjected to the prolonged term of apprenticeship provided for in the 20th clause of the Act intituled "An Act for the Abolition of Slavery," &c., which takes effect from the 1st of August next ensuing.

Given under my hand and seal of the said Island, this 25th day of July, in the fifth year of His Majesty's reign, and the year of our Lord 1834.

By command.

(For the Acting Colonial Secretary),

H. E. F. Young.

Enclosure 4, in No. 327.

My Friends,

Enclosure 4 in No. 327.

YOU are aware that I have recently arrived from England to be Governor of this Colony. You see I lose no time in coming amongst you, and my reason is, that I know you have been for a length of time past expecting some great benefit to be conferred upon you. I am come to tell you, you are right. The King and the people of England, with your masters in this country, have mutually made sacrifices in order that you should enjoy the blessings of freedom. On the 1st day of next month the name of slave is to be forgotten. No man is to call another a slave. You are no longer to be slaves. You are free; not idle free people, but industrious free people, bound to labour moderately for your masters, in return for allowances which your masters, as they have hitherto done, will be bound to furnish you. Now, my friends, attend to what I say; believe what I say. I am here in this country representing the great and good King of England, who, with his people, is your friend; therefore my duty is also to be your friend; for your own sakes, believe and trust to the words I speak.

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The benefits which you are to have from the 1st of next month are very great. Whilst you are slaves, your children and your children's children are slaves; on the 1st of next month all your children under six years of age are free; all born after the 1st of next month are born free. As slaves, you had to work for your masters nine hours every day, or 54 hours every week; as free apprenticed labourers, you are to work 7½ hours per day, or 45 hours per week. As slaves, you were to work these nine hours every day of every week of your whole lives; after the 1st of next month, you are to work these 7½ hours per day for six years, or if you are domestics, for four years only. The domestics have the shorter term allotted to them because their services are without remission. You can release yourselves by purchase, at a fair valuation, from the service of your apprenticeship, in like manner as hitherto you had the right of buying your freedom from slavery. Yet during your apprenticeship you are to receive from your employers the same allowances as when they had from you your full time. As a slave, your master can order you to be punished; as a free apprenticed labourer, you are not subject to this authority. The King has appointed special justices to decide on all differences that may arise between you and your masters, with authority to prevent any wrong being done to you, and also to punish you when you do wrong; and he alone has this power. These officers have not yet arrived, but this gentleman, by my appointment, is to be your magistrate until the other does arrive. Obey him, respect him, for he has my authority.

Do not deceive yourselves: every man in this world must work; God, who made us all, has ordered that we should live by the sweat of our brow. Let me warn you against so great a mistake as supposing, because your master has no longer the power of punishing you, that therefore no punishment at all can happen to you. The magistrate has full power to punish you for every fault you commit; has full power to make you perform the 7½ hours of labour you owe to your master; has full power to punish you if you are lazy, careless, negligent, absent from work, impudent or disobedient. As the good things of which I have been before telling you are secured to you and your children, be sure you in your turn shall receive punishment if you do not honestly and fairly work for your masters the whole time to which by law he is entitled whilst the apprenticeship lasts. Some people tell me that perhaps you will try not to work at all. I cannot believe you to be such fools, or so ungrateful, or so wicked. Work you must, the moderate time required from you by law. If any of you dare to resist the law, and think that by combining together, you can evade or set it at defiance, be assured I shall instantly come amongst you, not as now, to do you good and advise you, but severely to punish the offenders. My duty is to have the laws obeyed; to protect all men and their properties. This duty, depend upon it, I will fully perform, if but one single act of general insubordination take place amongst you, whereby your master's property is endangered and the public peace disturbed. That moment I will be on the spot with the King's troops and other His Majesty's loyal subjects. But, my friends, I trust (and indeed, from the first moment of my coming amongst you, my confidence on that score is increased) that your conduct will not be such as to require my presence for any purpose of visiting the guilty.

From your magistrate, and from your masters too, you may learn many other things relating to your rights and to the duties you are to perform. There is but one other duty, and one other privilege which I shall now mention; the duty is a very sacred one, the penalty for its non-performance very severe. As your children are free, they must be supported as free children are supported, that is, by their parents; and for this, among other reasons, was the difference of labour between 7½ and nine hours per day granted you. If, however, your children are left destitute, they may by law be apprenticed, that is, bound to labour until they are 21 years of age.

The privilege of which I have to make mention is, that at your own free will and pleasure, without denial or interruption whatsoever, you may on every Sabbath-day perform religious worship at any church or chapel in the Island; and, my friends, not only when you may next meet at any place of worship, but when you leave this spot to-day and return to your domiciles, and are in the midst of your children, go down on your knees and thank the great God for the blessings of freedom, which I have told you are to be yours in part, and your children's altogether, after the 1st of next month.

Be grateful to the people of England, who have paid a great deal of money to make you free; be obedient to the laws; and on all occasions you shall have their protection.

Now, my friends, in conclusion, let me once more remind you of all the advantages you derive from this great measure:

1. That all grown-up persons are required to perform a moderate labour of 7½ hours per day, in lieu of nine hours per day as before, and these 7½ hours are for six years only, instead of for all your lives.

2. That in like manner as you could purchase freedom when you were slaves, so now you may purchase release from apprenticeship.

3. That children under six years of age, and all born after the 1st of next month, are free.

4. That the power of inflicting punishment is no longer arbitrary with your masters, but depends upon the decision of the magistrate.

5. That the most entire liberty is given to you to frequent on Sundays any place of worship you please.

And, my friends, I have to tell you that by proclamation I have appointed the 1st of next month, the day from which all these great things take effect, to be a day of general thanksgiving to God for all these blessings, which most heartily and sincerely I hope you may for ever enjoy in peace, content and happiness.

— No. 328. —

COPY of a DESPATCH from Lieut.-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice*.

Sir, St. Lucia, 1 August 1834.

No. 328. I HAVE the honour to forward herewith a Proclamation issued this morning to announce the abolition of slavery, in virtue of the Act of Parliament passed in the Session held in the 3d and 4th years of the reign of His present most gracious Majesty.

And it is my gratifying duty to inform you that the announcement, which took place in my presence, and in that of the principal inhabitants of the Island, was received with the most hearty and grateful expressions of loyalty, and that the public tranquillity remains most perfectly undisturbed at the late hour of the day at which I now have the honour to forward this Despatch.

I have, &c.
(signed) *Dudley Hill*, Lieut.-governor.

St. Lucia.

PROCLAMATION,

By His Excellency Sir *Dudley St. Ledger Hill*, Lieut.-Governor, &c.

I DO hereby proclaim and make known, that by virtue of an Act of Parliament passed in the Session held in the 3d and 4th years of the reign of His most gracious Majesty King William the Fourth, slavery ceases on this present 1st day of August, and by virtue of the said Act, it is now abolished in this Colony henceforth and for ever. And I do further proclaim, that from and after this day prædial labourers are to become apprentices for six years, and non-prædial labourers for four years; and I do strictly exhort, enjoin and command all such apprenticed labourers as aforesaid to be obedient to their masters and those in authority, to be industrious in their habits, and submissive to the laws.

Given under my hand and the seal of the said Island, this 1st day of August, in the fifth year of His Majesty's reign, and the year of our Lord 1834.

By his Excellency's command.
(For the Acting Colonial Secretary),
(signed) *H. E. F. Young.*

God save the King.

— No. 329. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-governor Sir *Dudley Hill*.

Sir, Colonial Office, 6 Sept. 1834.

No. 329. I HAVE received your Despatches of the 1st August last, reporting the measures which you had taken to preserve tranquillity and subordination, and to give due effect to the Act for the Abolition of Slavery.

I have to convey to you His Majesty's approval of the three Proclamations which you had issued, the first dated the 5th of July, announcing your intention to visit the country districts; the second, dated the 25th of July, appointing the 1st of August to be a day of general thanksgiving; the third, dated also the 25th July, offering an indemnity to runaway negroes who should return to their masters forthwith, and warning them of the prolonged obligations of apprenticeship which they would incur by their continued absence.

It is also my duty to convey to you the expression of His Majesty's approbation of the active and judicious measures which you adopted to meet the difficulties which might have arisen on the Abolition Act first coming into operation. The address which you delivered to the negroes appears to me to have been well calculated to dispel any delusions which they may have laboured under, and the results of your exertions are gratifying.

The provisional appointment of stipendiary magistrates was indispensable, owing to the non-arrival of persons from this country to discharge the duties. I find, upon inquiring, that the delay in sending out such persons has arisen from the

the difficulty of meeting with individuals willing to accept the situations and qualified for such an employment in a Colony where the language spoken is French; but I beg to assure you that the quota of magistrates for St. Lucia will be despatched to your assistance without further loss of time.

I have, &c.
(signed) *T. Spring Rice.*

— No. 330. —

Copy of a DESPATCH from Lieut.-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice.*

Sir, St. Lucia, 19 August 1834. No. 330.

I have the honour to forward herewith the following Public Acts, viz.:

No. 7. A Proclamation dividing the Island of St. Lucia into three judicial districts, and defining the limits of the said districts, dated 1st August 1834. Proclamation, No. 7, printed in the Appendix (B.), No. 57.

No. 4. An Ordinance enacted by the Lieut.-governor and the Legislative Council on the 1st August, for fixing and determining the number of hours per week which shall be allowed to prædial apprenticed labourers for the cultivation of their provision grounds, &c. Ordinance, No. 4, of the 1 Aug. 1834, printed in the Appendix (B.), No. 58.

No. 8. A Proclamation, issued in consequence of various false reports being prevalent respecting the state of the population in distant parts of the Island, and cautioning all persons against spreading reports calculated to mislead the public mind. Proclamation, No. 8, printed in the Appendix (B.), No. 59.

No. 5. An Ordinance passed by the Lieut.-governor and Legislative Council on the 18th August, for providing for the acquiescence of the minority of the prædial apprenticed labourers in the apportionment of task-work, &c. &c. Ordinance, No. 5, of the 18 Aug. 1834, printed in the Appendix (B.), No. 60.

I have, &c.
(signed) *Dudley Hill*, Lieut.-governor.

— No. 331. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-governor Sir *Dudley Hill.*

Sir, Downing-street, 28 October 1834.

I have received and have laid before the King your Despatch of the 19th of August last, enclosing two Proclamations issued by yourself, for dividing the Island of St. Lucia into three judicial districts, and defining the limits of the said districts; and "in consequence of various false reports being prevalent respecting the state of the population in distant parts of the Island, and cautioning all persons against spreading reports calculated to mislead the public mind;" and enclosing two Ordinances, enacted by yourself and the Legislative Council of St. Lucia, "for fixing and determining the number of hours per week which shall be allotted to prædial apprenticed labourers for the cultivation of their provision grounds, and also for regulating the apportionment of the 45 hours per week during which prædial apprenticed labourers are required by law to work for the benefit of their employers;" and "for providing for the acquiescence of the minority of the prædial apprenticed labourers in the apportionment of task-work, and also providing for the compensation compellable from apprenticed labourers absenting themselves from the service of their employers." No. 331.

I have received His Majesty's commands to signify to you that he has been graciously pleased to approve and to confirm the Proclamations and Ordinances which have been so promulgated and enacted.

I have, &c.
(signed) *T. Spring Rice.*

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— No. 332. —

EXTRACT of a DESPATCH from Lieut.-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice*, dated Government House, St. Lucia, 26th August 1834.

No. 332.

THE Despatches which I had the honour to transmit in the early part of this month will have apprized you that the abolition of slavery excited in this Island no other emotions amongst the parties most interested than those which so happy and great an event would naturally produce, nor did there result then, nor has there been exhibited since, any demonstration of public feeling which could give me serious uneasiness respecting the preservation of tranquillity throughout the Colony.

In announcing to you the continuance of this state of things, I think it right to glance at some of the measures adopted. I may safely mention as the first of these measures, (and as one to which my earliest and most strenuous exertions were directed) the dispelling from the minds of the proprietors an idea of the necessity or expediency of making a display of military force, with which they were so strongly impressed, that one influential party represented to me, in terms approaching to remonstrance, the impossibility of preserving peace unless the police should be supplied with fire-arms and ammunition.

I need hardly say that to such counsel my own judgment would have led me to object, even were it not, as I conceive it to be, opposed to the just and humane policy of His Majesty's Government; and to them it will no doubt be as gratifying to learn, as it is in the highest degree satisfactory to me to inform you, that the present orderly conduct of the labourers justifies the favourable opinion I entertain of their quiet and peaceable disposition.

I feel, however, that so necessary was it to disallow the spirit which would have induced many to secure the continuance of their labourers' industry, or as they would term it, the safety of the Colony, by an unusual display at this time of armed force; so necessary was it to discountenance the reports of general insubordination, nay, even of rebellion, which from distant parts of the Island were constantly pouring into the Government office, that had they not been counteracted on my part by a personal investigation into their accuracy, their exaggeration being undetected, steps would possibly have been taken against an imaginary danger, which might really have caused the very evil the reporters seemed to deprecate.

Having thus, then, by my earliest measures endeavoured to prevent any ill consequences from the unadvised conduct of one class of the population, my anxious attention was directed to the other, and in a second visit to the country districts, I had the pleasure to observe that there were no exceptions to the general good behaviour of the labourers, save those which, arising from simple misapprehension of their new rights, could be remedied gradually and temperately, and except also those breaches of discipline which amongst a large body of people would occur under any system of cumpulsory labour, and which were not less frequent under that just abolished.

For offences of the latter description the special magistracy might safely use their power, but for the former there was no better antidote than an unreserved communication from some unquestionable authority; this task I again undertook, and, as I have every reason to suppose, not unsuccessfully.

I feel indeed fully warranted by present appearances in allowing His Majesty's Government to entertain an expectation that St. Lucia will continue free from those commotions to which, I learn with regret, the tranquillity of Trinidad, St. Christopher, and other Islands, have been temporarily exposed, and I beg you to be assured that I shall not fail to devote all my energies to realize this expectation.

— No. 333. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieut.-governor Sir *Dudley Hill*.

Sir, Colonial Office, 11 October 1834.

I HAVE just received your very satisfactory Despatch of the 26th August, which I have lost no time in laying before the King. No. 333.

It is most gratifying to His Majesty's feelings to be informed that the Act for the Abolition of Slavery has been carried into effect in St. Lucia with the entire success so well described in your Despatch. His Majesty rejoices to learn that this great change has been effected without exciting any other emotion among the parties most interested than those which so important an improvement in their social condition would naturally produce, and that you entertain no serious apprehensions respecting the preservation of internal tranquillity.

You have acted with good sense and discretion in declining to make any display of military force, so long as the public peace was not disturbed. The interposition of the military authorities should be reserved for such exigencies only as render a recourse to that ultimate remedy unavoidable. To act upon other principles is not only to misapply the means of Government, but to impair, if not to destroy, the permanent efficiency of the civil power.

But the same discretion which induced you to decline resorting to such measures under the circumstances you have described, would I am sure have led you to apply all the means at your disposal, had the real interests of the Colony, or the lives and property of His Majesty's subjects, been exposed to real danger; I am however relieved by the satisfactory nature of your communication from the painful necessity of contemplating any such alternative.

A very important duty remains to be executed by you and all others conducting the functions of government in His Majesty's West-Indian Colonies. In carrying into effect the provisions of the Abolition Act, you will I am sure feel yourself called upon to assist the employers in obtaining from the apprentices the amount of labour to which by law they are entitled; and on the other hand you will apply your constant and most sedulous attention to secure to the labourer the full possession of every right and privilege conferred on him by law. By this union of firmness and strict impartiality, it is His Majesty's earnest hope that the new social system produced by the great change made in the condition of the apprenticed labourer may be matured and perfected, and the productive industry of the Colony and the pecuniary interests of the proprietors of land may also be secured.

His Majesty commands me to convey his gracious approval of your conduct to you; and to those who have co-operated with you, his gracious approbation.

I have, &c.
(signed) *T. S. Rice.*

— No. 334. —

COPY of a DESPATCH from Lieut.-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice*.

Sir, St. Lucia, 28 November 1834.

I HAVE the honour to acknowledge the receipt of your Despatch dated 11th October last, in which you conveyed to me the highly gratifying announcement of His Majesty's most gracious approval of my conduct. No. 334.

I would respectfully take leave to express my deep sense of this honour, and to assure you that I shall sedulously study to give effect to those wise and just views which His Majesty has been pleased to express in relation as well to the legal claims of the employer on his apprentice as to the secure possession by the latter of the rights and privileges lately conferred on him.

I avail myself of the present occasion to report that I have this day completed a tour of the whole Island, which was undertaken to explain to the

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apprentices the apportionment that can by law be made during the season of crop of the 40 hours' labour per week to which the employer is entitled; and I have the pleasure to state, that in a very ample opportunity of learning the sentiments of the managers, I became acquainted with but very few complaints against their gangs, and was equally gratified, on special inquiry from the latter, to find this state of things to be reciprocal.

I have, &c.
(signed) *Dudley Hill.*

— No. 335. —

EXTRACT of a DESPATCH from Lieut.-governor Sir *Dudley Hill* to Mr. Secretary *Spring Rice*, dated St. Lucia, 3 Nov. 1834.

No. 335.

SINCE I had the honour of forwarding my last Despatches, an Ordinance has passed the Legislative Council, and is herewith transmitted:

Ordinance, No. 7, passed 23 October 1834; printed in the Appendix (B), No. 61.

No. 7, An Ordinance to abolish the office of Commissary Commandant, and to substitute in lieu thereof the title and jurisdiction of a Justice of the Peace; by which several objects of no little importance were effected.

The duties of the situation are defined and comprised in one law, instead of being derived from a mixture of ordinances, mandates from the Governor, and even from alleged usage; and some advantage is obtained by giving a designation to the appointment, which may serve as an indication of an approach to a system more nearly resembling that of the mother country.

I have included all the special justices in the general commission of the peace, which was issued on the promulgation of this ordinance; and I trust this extension of their authority over all persons indiscriminately will give increased efficacy to their exertions in behalf of that numerous class for whose protection they were at first specially appointed; and on the other hand, having increased the number of voluntary magistrates under the Order in Council of 5th June last, I fully expect that its provisions will receive no less watchful attention than formerly.

I beg to inform you that in the course of the present month it is my intention again to make a tour through the whole Island, for the purpose of explaining to the apprentices the second clause of the ordinance, No. 4, enacted on the 1st August last, and I trust by so doing to obviate any misapprehension they may entertain respecting the apportionment during crop of their legal hours of labour, which at that period may be distributed differently, though not in the aggregate exceeding the specified term of 40 hours per week.

It is with no ordinary satisfaction that I profit by this opportunity to inform you that the tranquil and orderly conduct of the apprenticed labourers fully justifies my giving you an assurance which cannot fail to be gratifying to His Majesty's Government, and that is, that the abolition of slavery has not up to this period interrupted the industry which was customary previously to that happy event; and I may be forgiven for adding, that in an unusually fine season and an escape from the desolating scourge which so fearfully visited the closely neighbouring Colony of Dominica, Providence has given to this Island additional and very marked motives for thankfulness.

— No. 336. —

COPY of a DESPATCH from the Earl of *Aberdeen* to Lieutenant-governor Sir *Dudley Hill.*

Sir, Downing-street, 22 December 1834.

No. 336.

I HAVE the honour to acknowledge the receipt of your Despatch of the 3d November last, transmitting two Ordinances of the Legislature of St. Lucia.

No. 7, to abolish the office of Commissary Commandant, and for other purposes;

No. 8, to consolidate and amend the Militia Laws of the Island;—and I shall take the earliest opportunity of communicating to you the decision which His Majesty may be pleased to form upon these ordinances.

It

It has afforded His Majesty's Government the highest satisfaction to receive from you the assurances contained in the last paragraph of your Despatch, that the quiet and orderly conduct and industrious habits of the apprenticed labourer are such as would justify you in anticipating the most happy results from the abolition of slavery in the Colony under your government.

I have, &c.
(signed) *Aberdeen.*

— No. 337. —

EXTRACT of a DESPATCH from Lieutenant-governor Sir *Dudley St. Leger Hill* to Mr. Secretary *Spring Rice*; dated St. Lucia, 31 December 1834.

No. 337. Ordinance, 1 Dec. 1834; printed in the Appendix (B.) No. 62.

I HAVE the honour to transmit herewith the following public Act, passed by the Legislative Council of this Colony, which I request you will be pleased to submit for His Majesty's approbation, viz.:

"An Ordinance enacting and ordaining certain Rules and Regulations respecting the Rural Police Establishments, and respecting Houses of Correction and Penal Gangs, within the Island of St. Lucia."

— No. 338. —

EXTRACT of a DESPATCH from the Earl of *Aberdeen* to Lieutenant-governor Sir *Dudley Hill*; dated Downing-street, 8 April 1835.

No. 338.

THE Ordinance passed by yourself and the Council of St. Lucia, in the month of December last, fixing the taxes for the service of the year 1835, imposes a poll-tax upon the apprenticed labourers, to be paid by themselves, except in the case of domestic servants. In anticipation of the probable disallowance of this enactment, it is provided that, in that contingency, the impost should be transferred from the apprenticed labourer to his employer. His Majesty has been pleased to disallow so much of this law as subjects the apprenticed labourer to any share of the burthen; the result will consequently be not to diminish the annual revenue, but to render the proprietary body liable to the payment of the whole.

Although described by the same name, no two sources of revenue can be more distinct in their principle, or in their effects, than a poll-tax, exigible indifferently from every adult member of the colonial society, and the poll-tax which was formerly payable by the owner of slaves, calculated upon the number which he might happen to possess. His Majesty cannot sanction an enactment in which due regard is not had to the distinctions between the rich and the poor, and between those who have and those who have not the bodily strength necessary for earning the means of payment. A still more weighty objection is founded on the inequality of an impost which confounds together, in one equal pecuniary liability to the State, those who have the entire command of their time and the choice of their own employment, and those who, during three-fourths at least of the working hours of every day, are bound by law to labour in the service of another, for a fixed remuneration, intended to supply their indispensable wants only.

The Ordinance establishing rules and regulations for the rural police contains a clause, numbered 12, of which the indirect effect would seem to be that of rendering it illegal for an apprenticed labourer to quit the plantation to which he may belong, without the consent of his employer. There is no objection to this rule, if properly qualified. No restraint should be placed on the apprentice proceeding to any place of public worship, or to the public market, or to his own place of abode, when beyond the limits of the estate, or to any neighbouring place where he may have engaged himself to labour for hire, it being carefully provided that none of these causes of absence should be available as a reason for the neglect of his appropriate duties during the 45 hours of weekly labour which are due by law to the employer. The Ordinance should be so far amended as to obviate this objection.

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— No. 339. —

EXTRACT of a DESPATCH from Lieutenant-governor Sir *Dudley St. Leger Hill* to Lord *Glenelg*; dated Government House, St. Lucia, 26 June 1835.

No. 339.

I HAVE the honour to transmit herewith the following public Act, passed by the Legislative Council of this Government, viz.:

Ordinance, 15 June 1835; printed in the Appx. (B), No. 63.

"An Ordinance for amending and explaining part of the 12th clause of an Ordinance respecting the Duties of the Rural Police in apprehending Absentee Apprenticed Labourers in the Island of St. Lucia."

This Ordinance has been framed for the purpose of amending the 12th clause of the Ordinance establishing rules and regulations for the rural police, as directed by Despatch of 8th April last; and I trust it will be found sufficient to obviate the objection therein made.

— No. 340. —

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-governor Sir *Dudey Hill*.

Sir, Downing-street, 3 August 1835.

No. 340.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., declaring that adequate and satisfactory provision hath been made in the Colony of St. Lucia, for giving effect to an Act of Parliament, made in the 3d and 4th year of His present Majesty, for the abolition of slavery.

Order in Council, 31 July 1835; printed in Appendix of Part 2 (B), No. 17.

I have, &c.
(signed) *Glenelg.*

HONDURAS.

— No. 341. —

HONDURAS.

COPY of a LETTER from Mr. Under-Secretary *Lefevre* to Colonel *Cockburn*.

Sir, Downing-street, 21 May 1833.

No. 341.

MR. SECRETARY STANLEY has desired me to send to you, for your information, a copy of the Circular Despatch, dated the 20th instant, and addressed with some modifications to the Governors of those of His Majesty's Colonies in which slavery exists.

Vide Parl. Papers, Part I, printed 16 July 1835, No. 177, p. 3.

You will by this means be in more complete possession of the views of His Majesty's Government on the subject of the extinction of slavery, than if Mr. Stanley had written to you a separate Despatch applicable only to the peculiar circumstances of the Settlement which you superintend.

Upon this, the first announcement of the benevolent designs of His Majesty's Government, Mr. Stanley relies upon your adopting a line of conduct similar to that which is recommended in the Circular to the Governor to whom it is addressed; and upon your exertion of the decision, prudence and caution which the critical circumstances of the time may render peculiarly necessary.

I have, &c.
(signed) *John Lefevre.*

— No. 342. —

COPY of a LETTER from Colonel *Cockburn* to Mr. Under-Secretary *Lefevre*.

Sir, Government House, Honduras, 17 July 1833.

No. 342.

I HAVE the honour to acknowledge the receipt of your letter of the 21st May, enclosing Mr. Secretary Stanley's Circular Despatch of the preceding day; in reference to both of which I beg you will assure Mr. Secretary Stanley that no exertion shall be wanting on my part to fulfil the instructions which have thus been transmitted to me. This Settlement I am happy to say is, and has been for some time past, perfectly quiet and tranquil; some anxiety certainly prevails, both on the part of the slaves and their owners, as to the result of the Bill which all parties are now fully aware is about to be brought before Parliament for laying the groundwork for the extinction of slavery; but I do not apprehend that any disturbance or insubordination will arise, provided the question is set at rest within a given time. Well disposed, however, as all parties in this Settlement now are, protracted anxiety might lead to dangerous excitement. I calculate our slave population to amount to 3,000; and would beg to call your attention to the fact, that the anomalous description of this place will exclude them from the benefit of the proposed Act for their relief, unless the Settlement of Honduras is specially alluded to therein. I would also observe, that it has long been the custom here to sell slaves for their freedom; that is, an owner wishing to do a service to the slave, binds himself, or sells the slave to another on condition to give him freedom after a limited number of years. Thus *A* sells a slave (worth perhaps 400*l.* currency) to *B* for 250*l.*, upon condition that said slave shall be entitled to his freedom at the end of seven years. Now, perhaps at the passing of the proposed Bill said slave will have served four years out of the seven; how then will the Bill affect him? Will he have a right to claim being apprenticed for the remaining three years? or, if he prefers the stipulations under which he was last sold to those of the proposed Bill, must he continue subject to the rigours of slavery for that period? There are very many cases of the above description now in this Settlement, and I am therefore the more anxious to receive instructions thereon. There is another point on which I would also request information: many slaves are too old and feeble to work at all; some are prevented from so doing by wounds or bodily infirmities, and others from mental incapacity; what is to become of these? Are their owners still bound to provide for them; can such claim to be apprenticed; and will any remuneration be allowed to the owners on their account? I also feel some doubt as to whether apprentices are to be considered as the property of their masters; that is, whether in the event of the death or insolvency of a master, the remainder of the service of an apprentice can be claimed by his heirs, or taken in execution by his creditors.

I have, &c.
(signed) *Francis Cockburn*,
Colonel Commanding.

— No. 343. —

COPY of a NOTE from Mr. Secretary *Stanley* to Colonel *Cockburn*.

No. 343.
19 October.

MR. SECRETARY STANLEY presents his compliments to Colonel Cockburn, and transmits herewith the copy of a Circular Despatch which he has addressed to the Governors of the West India Legislative Colonies, relating to the Government measures for the abolition of slavery; and Mr. Stanley requests that Colonel Cockburn will consider it as addressed to himself, so far as the provisions of the measure may be applicable to the Settlement of Honduras.

Vide Parl. Papers, Part I, printed 16 July 1835, No. 177, p. 11.

Colonial-office, 19 Oct. 1833.

— No. 344. —

EXTRACT of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Stanley*; dated Government House, Honduras, 29 October 1833.

No. 344. I HAVE the honour to transmit herewith, for your perusal and consideration, a Memorial, drawn up by the principal slave owners and inhabitants of Honduras, in reference to the late Act for the Abolition of Slavery. To each of the statements this memorial contains I have given the utmost attention, and I consider it but justice on my part to bear testimony to the fairness and accuracy which prevails throughout. The fact so much dwelt upon, of the slaves and free labourers having been employed under the same rules and regulations, is beyond dispute. I have made it a point to visit the mahogany works, with a view to ascertaining the treatment experienced by the slaves, and a happier or more contented set of beings I have seldom seen. The description of their labour varies according to the seasons of the year, but at no period has an objection ever been raised on account of overwork. During the trucking or dry season, the cutter, of necessity, avails himself of the coolness of the night for getting out his wood; but so far from this being objectionable, I feel certain the slaves, were it left to their own option, would by no means wish it to be otherwise. I have witnessed this species of mahogany harvest-home with the greatest pleasure; a more enlivening scene cannot be imagined. The roads in many places over which the trucks must pass are cut through luxuriant palm groves; the cattle are of the finest description, the men in the highest spirits, and the whole scene most brilliantly illuminated by the numerous pitch-pine torches with which it is accompanied. On these, as on other occasions, the free labourer and slave work together; but though with the gangs for months together, it would be impossible to discover the one from the other, unless they were separately pointed out. It is true I have had occasion to notice some instances of cruelty and oppression towards the slaves, but this, as far as my experience goes, has invariably been confined to those employed for domestic purposes, and strange to say, in almost every instance, under the direction or at the instigation of females; but such cases, I am happy to say, have been very few, much fewer in proportion to our numbers, (and I say it to the honour of the Settlement,) than in any other part of the world where slavery has prevailed. The amount to be awarded by the Commissioners in remuneration for slaves in this Settlement will, I should think, under the stipulation of clause 45 of the Slave Bill, be of a higher amount than in any of the Colonies: 300 *l.* and 400 *l.* currency have been common prices for healthy active labourers, and females have borne a proportionate value: however, be the remuneration what it may, it is of vital importance to the welfare of the owners that they should receive the same with the least possible delay, and on this point I would respectfully solicit your particular attention to the last paragraph but one of the memorial. Slave property, as therein stated, is almost the only security on which it has been possible to raise money for years past, or on the faith of which advances in provisions, and other articles which cannot be dispensed with, are made by the merchants to the mahogany cutters. This resource is now at an end; for under the existing uncertainty, and the consequent depression in the value of slaves, this species of property could only be disposed of at a ruinous sacrifice. Persons employed in the Colonies are connected with houses in England, on which they can fall back in case of need; but not so in this Settlement: here the mahogany cutter depends on himself alone; he has no mortgagees with mutual interest to support his credit; the little he has is his own, but it is his all. I have gone into the point more at large, in the anxious hope that, as the 62d clause of the Bill vests the power of making all laws for this lace, relating to the emancipation of slaves, in His Majesty in Council, the angements for Honduras may be at once decided on; and believe me, Sir, cannot confer a greater boon on its inhabitants than by using your powerful in ce to this effect.

Sh l any reference be deemed expedient to either magistrates, public meeting or abitants, I feel satisfied that one and all will cordially and zealously endeavou fulfil the wishes of His Majesty's Government.

I cannot

I cannot conclude this letter without again referring to the loyalty and good feeling which prevails throughout this Settlement, and I am the more prompted in so doing by the conviction that it is the best means I can adopt of recommending the memorial now transmitted to your attention and favourable consideration.

Enclosure in No. 344.

Meeting of Inhabitants, Slave Proprietors, and Representatives of Absentees, held at the Court-house, Belize, Honduras, the 21st day of October 1833.

Enclosure in No. 344.

William Gentle, esq. was unanimously chosen chairman, and stated, "that this meeting, comprising the principal slave proprietors of the Settlement, and also representing the principal absentees, is convened for the purpose of taking into consideration the Bill passed by Parliament for the abolition of slavery; and conformable with the 44th clause thereof, to elicit an expression of the sentiments of the colonists thereon, and of calling on them for their aid in carrying the same into effect."

A deputation, consisting of the chairman, John S. August and George Hyde, esqrs., were then appointed to wait upon His Majesty's Superintendent, and having returned, the chairman stated that His Majesty's Superintendent had nothing particular to communicate to the meeting excepting the Bill, but that he would be ready to co-operate with the meeting in any measure for the welfare of the Settlement.

At the request of some of the members, sundry clauses of the Bill were read to the meeting.

The following Resolutions were read, and unanimously agreed to:

1st. Resolved, That it is the opinion of this meeting, that every facility should be given in carrying into effect the measures adopted by Parliament for the extinction of negro slavery, and that the members of this meeting are ready and willing to co-operate accordingly, so far as the peculiar local situation of the Settlement will admit, from the assurance of justice being done the proprietors of slaves in the appropriation of the compensation money voted by Parliament.

2dly. Resolved, That in consequence of the very high price of labour in this Settlement, a corresponding high value has always been placed upon slaves; the proprietors are therefore in justice entitled to a proportionate compensation.

3dly. Resolved, That by a long course of mild treatment, and a liberal portion of the fruits of their labour having been bestowed on them towards promoting their personal comfort, the slave population of this Settlement are brought to an advanced state of improvement; in proof thereof, the same regulations by which they are governed in the business of wood-cutting, which is here their only employment, is applied to the free labourers, who voluntarily place themselves under the same regulations and management in every respect.

4thly. Resolved, That in the detail of such regulations as may be made for the government of apprenticed labourers, should the same materially interfere with the present system of the slave and free labourer working in conjunction, it will be the means of rendering the services of the former class unavailable, and defeat the object of combining the welfare of the negro with the interest of the proprietors; for that, during two months of the year, or the trucking season, the business of wood-cutting cannot be carried on by limiting the labourers to a certain number of hours work per day; and if such is persisted in, wood-cutting by apprenticed labourers must be abandoned.

5thly. Resolved, That it is to be hoped the protecting arm of His Majesty's Government will be extended towards this Settlement, and by its especial care afford such salutary protection to the wood-cutters in the home market, so as to enable them to meet the additional expense to be incurred by the new order of things and to compete with foreigners, otherwise mahogany must cease to be an article of export from this Settlement.

6thly. Resolved, That in order to ascertain the rate at which slaves have been sold for the eight years previous to December 1830, agreeable to the Bill, the Committee hereafter to be named be requested to call upon all persons who may have sold as well as those who have purchased slaves within the specified time, to give in lists of sale or purchase, showing the names of the slaves and price, and to affix an affidavit to the same.

7thly. Resolved, That the members of the Supreme Court and magistrates shall form a joint committee for the purpose of carrying into effect the object of this meeting; and that a memorial be prepared to accompany these resolutions and founded thereon, be laid before his Excellency His Majesty's Superintendent, with a request that the same be laid before His Majesty's Government; and that when the committee assembles on business, five shall form a quorum.

8thly. Resolved, That a copy of the proceedings of this meeting be also forwarded to the agent for the Settlement.

The chairman then proposed that this meeting do adjourn until Saturday next, the 26th instant, which was unanimously agreed to.

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Saturday, 26 October 1833.

The meeting adjourned from Monday the 21st instant, re-assembled this day; William Gentle, esq., in the chair.

The chairman then laid before the meeting the following Memorial to His Majesty's Superintendent, drawn up by the committee, according to the 7th Resolve of the 21st instant, which was ordered to be read, and was unanimously approved of and adopted by the meeting.

To his Excellency Colonel *Cockburn*, His Majesty's Superintendent, Commander-in-Chief, &c. &c. &c.

We the inhabitants of the British Settlement of Honduras, slave proprietors and representatives of absentees, in public meeting assembled, beg leave to approach your Excellency with feelings of the most profound respect.

In presenting your Excellency with these resolutions at this momentous crisis of colonial affairs, we rely with confidence on a continuance of that deep interest you have invariably manifested in promoting the welfare and interest of this Settlement; and we beg to assure your Excellency that these resolutions have been passed fully confiding in the justice and honour of His Majesty's Ministers, and in the firm belief that sufficient compensation will be given to us, the proprietors, for losses sustained by the alienation of property solemnly guaranteed by the British nation.

By placing before your Excellency a true and comprehensive statement of the actual condition of the slave population of this Settlement, we will best explain the resolutions of our meeting, and the reasons why a high value has always been placed upon our slaves, independent of the prices at which they have been actually sold; and from the knowledge your Excellency has acquired of the real state of that class of persons, by several years' residence amongst us, you will be able duly to appreciate its correctness.

In the first place, the slaves of this Settlement receive by custom the benefit of one sixth part of their labour, or one day in the week; for this they are paid by their master, whether sick or well, every six months, without any deduction, at the rate of 3*s.* 4*d.* per day, or 8*l.* 13*s.* 4*d.* per annum. They receive stipulated quantities of clothing yearly.

The slave and free labourer, whether in the mahogany works or at Belize, are provided with an equal weekly allowance of the best Irish mess pork, flour or plantains; the slave is regularly supplied with a proportion of spirits, tobacco, pipes, powder and shot, being in possession of fire arms: the above-mentioned articles, together with medical attendance, brings the expense incurred for the maintenance of each slave to 20*l.* sterling per annum.

The use of the cart-whip as a stimulus to labour, if ever in use, has entirely ceased, the present generation know nothing of its existence; as the best proof of this, the hired free labourer voluntarily submits to and is under the same management as the slave.

During nine months of the year labour is performed by task-work, both by the free labourer and slave, and this is generally finished in five and seldom exceeds six hours; the remaining part of the day is spent as the slave thinks fit.

It may not be improper to observe that there are no gangs at present employed in cutting mahogany exclusively composed of slaves, half of each gang being free labourers.

And while the freeman and slave labour together side by side, are subject to the same restraint and management in every respect, eat, drink and sleep together, it is surely not saying too much, that while slavery or compulsory labour exist under any shape as regards this Settlement, there can scarcely be a medium between its present condition and unqualified emancipation.

As regards female slaves, it may be observed, they are never employed in what may be termed field labour, their duties being entirely of a household or domestic nature.

The humanity thus shown by the inhabitants of this Settlement towards their slaves, by granting them so large a portion of their labour, and otherwise studying their comfort, has proportionably rendered them valuable when compared with those differently treated; it has at least brought them to that state of improvement, that they mix with and are governed in the mahogany works in the same manner as the free labourers.

It is however necessary to remark, that the free labourers alluded to are for the most part foreigners; few of the native free blacks possessing sufficient industry to induce them to engage as labourers in the cutting of mahogany, being satisfied with a mere animal existence, procured it is in indolence and idleness: a few instances to the contrary may be found, but the above is their general character, without the possibility of contradiction.

From the foregoing statement of the relative situations of the free and slave labourers, your Excellency will clearly perceive why so much anxiety has been evinced by the meeting in framing their 4th resolution, in which they have endeavoured to point out the impossibility of cutting mahogany by means of apprenticed labourers, with limited hours of labour, during a particular season of the year; for most assuredly during the dry season or trucking time, if the work is not carried on during the night, which is the part of the 24 hours in which the intense heat of the climate renders it absolutely necessary to drag out the wood, as the oxen employed in this work, if worked during the heat of the day, would be perfectly unable to endure the fatigue; any alteration therefore of limiting the hours of work of apprenticed labourers during the period above mentioned, will render it impossible to employ them in wood-cutting, the proprietors will be deprived of the benefit of their labour, and

and thus be compelled to abandon them, in which case they will be driven to the necessity of cultivating small spots of ground, earning thereby a bare subsistence, and in fact retrograding into a state of almost savage barbarism. It is worthy of remark, as regards the work done in the night during the trucking season, whatever time it may occupy, more than an equal portion of time is granted to the freeman and slaves during the day.

In reference to the high price of labour in this Settlement, we have to point out to your Excellency, (as a belief may obtain that free labourers being easily procured, the loss sustained in being deprived of our slaves will be less felt,) that free labour has been employed in every possible way, and found of itself too expensive for wood-cutting to support.

In proof of this assertion, we have appended to this communication a correct statement of the expenses of a gang consisting of 36 free labourers; this, when compared with the expense incurred by the same number of slaves under similar circumstances, will show the consequent loss sustained by the employer of freemen only. To this we beg to refer your Excellency.

By the statement alluded to, you will perceive that there is a difference of 24 *l.* in favour of each slave annually, which is the true loss the proprietor sustains by the manumission of his slave.

It may be argued that the chances of mortality will make a considerable reduction in the number of slaves in the course of a certain number of years. To this we would answer, that in those establishments where the number of the sexes are nearly equal, it is a circumstance well known to every inhabitant of the Settlement that the natural increase more than compensates for the contingencies of mortality, and this to a degree that will bear comparison with many healthy situations in Europe. Such being the actual state of things, we trust your Excellency will perceive that our claim to more than ordinary compensation is founded in justice and equity.

We will still trespass upon your Excellency's time, in adverting to the great amount of the imports and exports of this Settlement (supported by slave labour), and the consequent consumption of British manufactured goods, which, when compared with the small number of inhabitants, is a strong argument why a higher scale of compensation should be used in awarding us payment for our slaves. We have further to say, our claim to more than ordinary compensation has been fully recognised by His Majesty's Government on a former occasion, when payment was made to the proprietors of certain slaves emancipated by Colonel Arthur.

Finally, that as slave property is the principal stock or capital available for the purposes of security for the payment of debts or advances made to the proprietors in their business of mahogany cutting, unless speedily compensated for the same, great inconvenience, if not ultimate ruin, will be entailed on the greater part of them.

We shall now conclude, with expressing a hope that your Excellency will be pleased to take into your serious consideration a subject of such vital importance to this Settlement; and at the same time we beg to assure you, that nothing but a wish that the great losses that must accrue to us may be fully known to His Majesty's Government has dictated this address, and in the firm assurance that your Excellency's best endeavours will be exercised in protecting the interests of those under your government.

(signed) *William Gentle.* *John Young*, M. D.
William Maskall. *W. H. Coffin.*
J. M'Donald. *J. S. August.*
William Walsh. *George Hyde.*
Charles Evans.

COMPARATIVE STATEMENT of the EXPENSE of FREE and SLAVE LABOUR.

FREE.	£.	s.	d.
10 ½ months' wages, at 80 *s.*	42	–	–
220 lbs. pork - - -	11	–	–
324 quarts flour - -	13	10	–
Tobacco and rum - -	2	1	8
Medicine - - - -	–	10	–
Houses - - - -	–	10	–
£.	69	11	8

SLAVE.	£.	s.	d.
Saturday's pay - - -	9	–	–
240 lbs. pork - - -	12	–	–
360 quarts flour - - -	15	–	–
Tobacco and rum - -	2	1	8
Medical attendance - -	1	–	–
Sugar 6 *s.* 8 *d.*, Osnaburg 20 *s.*	1	6	8
Red frocks, shoes, &c. -	3	–	–
Christmas allowance - -	1	–	–
Houses - - - -	1	–	–
£.	45	8	4

Leaving a difference of 24 *l.*, which a free labourer costs more than a slave, and which is the true loss the proprietor sustains annually by the emancipation of his slave. Thirty-six free labourers, at 69 *l.* each per annum, amounts to 2,484 *l.*, and 36 slaves, at 45 *l.*, according to the above statement, amounts to 1,620 *l.*, leaving a balance of 864 *l.* in favour of slave labour for every gang composed of 36 hands, and which additional charge wood-cutting cannot support. There is a difference in the quantity of provisions allowed each class, which arises

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arises from the circumstance that the slave receives provisions for the whole year, including all lost time, the hired labourer only for the time he is employed.

(signed) *William Gentle*, Chairman.

The chairman having left the chair, it was taken by William Walsh, esq.; and the thanks of the meeting were unanimously given to the late chairman for his able conduct in the chair.

The meeting was then closed.

— No. 345. —

Copy of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Stanley*.

Sir, Government House, Honduras, 10 Jan. 1834.

No. 345. Having duly received the copy of the Act of Parliament, 3 & 4 William 4, c. 73, for the Abolition of Slavery, as also the minute of a proposed Order in Council, dated 19th October, descriptive of those measures to be taken by the Governors, Council and General Assemblies in the Colonies possessing representative legislatures, or by the local legislatures in the Colonies subject to His Majesty's legislative authority, I lost no time in affording to the members of the Supreme Court, and to the Bench of Magistrates, an opportunity of perusing these documents; I also communicated to the same persons the substance of your circular Despatch of the same date as that of the Order in Council, and in conformity with their wish I subsequently called a public meeting for the purpose of making more generally known the contents of the Act of Parliament, and of the proposed Order in Council. A copy of the message I sent down to the meeting on the occasion is herewith enclosed.

The meeting (which assembled on the 13th Dec.) appeared to take great interest in the subject offered to consideration, and having appointed a committee to draw up such remarks as it might be deemed expedient to offer on the occasion, adjourned to the 31st December; having re-assembled on that day, they again adjourned to the 10th January (this day), and I have just been informed that a further adjournment has taken place until the 25th instant. There is every wish expressed by the leading persons, indeed I may say by all of this community, to meet to their utmost, and to be satisfied with, the views and intentions of His Majesty's Government; still, however, I cannot see any sufficient cause for the delay which has taken place, and I therefore feel the more anxious to receive your definite instructions, and the necessary authorities, as mentioned in the 72d clause for carrying the Act into effect in the settlement of Honduras. These once received, I shall anticipate no positive difficulty in our further proceedings. The authority first required is the Order of the King in Council for establishing a registry of slaves. The appointment of the Commissioners is also anxiously looked for. With respect to the special justices, I have stated in a former Despatch that two or three, making Belize their place of principal residence, would best answer all the purposes required of them. One police settlement of one sergeant and 10 privates, in my opinion, would also be quite sufficient, provided these men were also resident at Belize, and subject to the orders and disposal of the special justices, either as constables, or to act as boatmen, or in any other way their services might be required. Under the 3d clause of the Bill several persons have already claimed and received their freedom; there are, however, two points with respect to this clause on which I beg to solicit your further instructions; viz. if a slave arrives in England subsequent to the passing of the Act, and previous to the 1st August 1834, the day on which slaves will become prædial labourers, will such slave be excluded from the benefit of claiming freedom?

If a woman was in England many years ago, will the children that she has born subsequent to her return to this country, but previous to the passing of the Act, have any claim to freedom?

I have, &c.

(signed) *Francis Cockburn.*

Enclosure in No. 345.

Government House, Honduras, 18 December 1833. Enclosure in No. 345.

His Majesty's Superintendent has called the present special public meeting for the purpose of furnishing for its information two documents which have been officially transmitted to him by Mr. Secretary Stanley.

The first is a copy of the Act of Parliament, 3 & 4 Will. 4, c. 73, for the Abolition of Slavery throughout the British Colonies. The second is the minute of a proposed Order in Council indicative of the views of His Majesty's Government as respects the various legislative measures which remain to be taken in the Colonies for carrying into more detailed effect the provisions of the said Act.

These documents being thus generally made known, His Majesty's Superintendent has only to add, that should the public meeting wish to offer any remarks thereon as applicable to this Settlement, he shall most readily transmit the same for the information of the proper authorities at home.

(signed) *Fran. Cockburn.*

— No. 346. —

Copy of a DESPATCH from Mr. Secretary *Stanley* to Colonel *Cockburn.*

Sir, Downing-street, 16 April 1834.

I have received your Despatch of the 10th January, requesting explanations on the following points; viz. No. 346.

1st. "If a slave arrives in England subsequent to the passing of the Act, and previous to the 1st August 1834, the day on which slaves will become prædial labourers, will such slave be excluded from the benefit of claiming freedom?"

2d. "If a woman was in England many years ago, will the children that she has born subsequent to her return to Honduras, but previously to the passing of the Act, have any claim to freedom?"

In answer to the 1st question, the 3d section of the Slavery Abolition Act, 3 & 4 Will. 4, c. 73, declares absolutely free "all slaves who may at any time previous to the passing of this Act have been brought, with the consent of their possessors, and all apprenticed labourers who may hereafter, with the like consent, be brought into any part of the United Kingdom." Here is no reference to the case of a slave brought into this kingdom after the passing of this Act. As this section was introductory of a new, and not declaratory of an existing law, I think that persons in this predicament are not affected by it. The law as it stood before the Act did not render freedom the consequence of a temporary residence in this kingdom. My conclusion, therefore, is, that if between the 28th of August 1833, the date of the Act, and the 1st of August 1834, the time when slavery ceases, a slave should be brought by his owner from Honduras to England, and should then return from England to Honduras, such a slave would not be emancipated under the 3d section, but would till the 1st of August 1834 continue in slavery, and would then become an apprenticed labourer.

In answer to the 2d question, my opinion is, that if a woman who was formerly in this country returned to Honduras, and there resumed her servil condition, and in that condition became the mother of children, the mother herself would be emancipated by the 3d section of the Statute, but that the children would not. The ground of this conclusion has already been noticed. The clause in question confers the right, but does not recognise its antecedent existence. It is in the case supposed a statutory manumission of the mother, and nothing is more clear than that a mother may be manumitted and her children continue slaves. Had it been a statutory declaration that the mother's residence in England had the legal effect of an emancipation, it would have followed that from the commencement of that residence she could have born none but children of free condition.

I avail myself of this opportunity to notice your Despatch of the 17th July 1833, which I received from you in September last; and, with reference to the 1st question therein proposed, respecting the duration of the apprenticeship of those slaves who may already be entitled to freedom in expectancy, after a fixed term of years, I have to transmit to you a copy of a communication which I have

HONDURAS. I have received on the subject from the Commissioners of West India Compensation, and to acquaint you with my concurrence in their opinion.

20 January. With regard to the maintenance of the negroes during the apprenticeship, and to the nature of the proprietary right to their services, upon which points you appear to have felt some doubt, I need only refer you to the 11th and 10th clauses of the Slavery Abolition Act. It is obvious, however, that after the expiration of the apprenticeship, the maintenance of the aged and infirm who are unable to support themselves will fall upon the Settlement generally.

I have, &c.
(signed) *E. G. Stanley.*

Enclosure in No. 346.

Office of Commissioners of Compensation,
Sir, No. 25, Great George-street, 20 January 1834.

Enclosure in No. 346. We have the honour to acknowledge the receipt of your letter of the 14th instant, enclosing an extract from a Despatch from the Superintendent of Honduras, in order that we may take into consideration the questions arising out of it respecting persons held in slavery in that Settlement, under the peculiar circumstances therein stated.

These circumstances and questions are set forth in the extract as follows:

"It has long been the custom here to sell slaves for their freedom, that is, an owner wishing to do a service to the slave, binds himself, or sells the slave to another on condition to give him his freedom after a limited number of years. Thus *A.* sells a slave (worth perhaps 400 *l.* currency) to *B.* for 250 *l.*, on condition that said slave shall be entitled to his freedom at the end of seven years. Now, perhaps, at the passing of the proposed Bill said slave will have served four years out of the seven; how then will the Bill affect him? Will he have a right to claim being apprenticed for the remaining three years? or if he prefers the stipulations under which he was last sold to those of the proposed Bill, must he continue subject to the rigours of slavery for that period?"

We have considered the very peculiar circumstances out of which those questions arise, and though they appear to us to be of a description hardly within our province, as relating rather to the legal position of the slave than to any claim of compensation for their value, we are of opinion that all such persons, being six years old or upwards, and registered as slaves at the time of the passing of the Act, do in fact, by the first clause of the Act, become apprenticed labourers.

We are further of opinion, that by the 2d clause of the Act, the party entitled to the services of the slave will enjoy the benefit of those services in the character of an apprenticed labourer during the remainder of the period of servitude stipulated between the parties distinguished as *A.* and *B.*, and for which abridged time the owner *A.* has received a valuable consideration from the slave through *B.*, but in no case can the stipulated time of servitude extend beyond the term of apprenticeship limited by the Act.

In this opinion our colleagues all concur.

We learn from good authority that the slaves in question do not amount to more than six or seven.

We have, &c.
(signed) *James Lewis.*
Henry Fred. Stephenson.
Hastings Elwin.

To John Lefevre, Esq. &c. &c. &c.
Colonial Office.

— No. 347. —

Copy of a DESPATCH from Mr. Secretary *Stanley* to Colonel *Cockburn.*

Sir, Downing-street, 25 January 1834.

No. 347. I have the honour to transmit to you, for your information and guidance, an order passed by His Majesty in Council, for establishing a registry of slaves in the Settlement of Honduras.

Order in Council, 24 Jan.; printed in the Appendix (B), No. 64.

I have, &c.
(signed) *E. G. Stanley.*

— No. 348. —

Copy of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Stanley.*

Sir, Government House, Honduras, 15 March 1834.

No. 348. In my Despatch of the 10th January last, I had the honour of reporting to you that I had submitted to the public meeting here the proposed Order in Council

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Council of the 19th October, and which had been draughted as more immediately applicable to British Guiana, and that I had stated my readiness to forward any remarks thereon for your information which the meeting might wish to offer.

The meeting, which was in the first instance assembled on the 18th December, adjourned from period to period until the 25th January, and I now enclose the result of its deliberations.

I cannot say that I by any means agree with the meeting in the anticipation it has expressed of serious obstacles occurring to prevent the carrying the proposed measure into effect. The point most feared and objected to appears to be the appointment of special magistrates; an arrangement, in my opinion, of vital importance to the peace and tranquillity of the Colonies, and the best, indeed the only possible mode, of insuring justice alike to the owner and the apprentice.

Two special magistrates, I have already stated, will I think be sufficient for this Settlement, and I still think one police gang will suffice; but these I anxiously hope will be sent out before the 1st of August next. Having in my former Despatch alluded to this subject, I should not have troubled you upon it again, but that I have heard the agent of this Settlement (Mr. Hyde) has offered an opinion to Mr. Under-Secretary Lefevre unfavourable to the appointment of special magistrates here, because the conduct and treatment of slaves has been of a better description here than in other places, and I am therefore anxious that my opinion should be known and recorded as at variance in this respect with Mr. Hyde's.

I have already borne testimony to the general kindness and consideration with which slaves, particularly of late years, have been treated in this Settlement; but I should by no means feel warranted in recommending that the faults and omissions of apprenticed labourers, or the complaints made by them against their owners, should continue to be heard and decided upon by courts unavoidably composed, as the courts here must be, of persons who for so many years have been slave owners themselves.

I have, &c.
(signed) *Francis Cockburn.*

(Enclosure in No. 348.)

Enclosure in No. 348.

Honduras, to wit. At a special public meeting, convened by order of His Majesty's Superintendent, and held at the Court House, Belize, Wednesday the 18th day of Dec. 1833, William Gentle, esq., was unanimously chosen chairman,

A deputation, consisting of the chairman, Charles Evans and James M'Donald, was appointed to wait upon His Majesty's Superintendent, for the purpose of acquainting him that the meeting had assembled.

The deputation having returned, the chairman informed the meeting that he had received a message from his Excellency, which was directed to be read to the meeting, as follows:

"Government House, Honduras, 18 Dec. 1833.

"His Majesty's Superintendent has called the present special public meeting for the purpose of furnishing, for its information, two documents, which have been officially transmitted to him by Mr. Secretary Stanley.

"The first is a copy of the Act of Parliament, 3 & 4 Will. 4, c. 73, for the abolition of slavery throughout the British Colonies, &c. &c. &c.

"The second is the minute of a proposed Order in Council, indicative of the views of His Majesty's Government as respects the various legislative measures which remain to be taken in the Colonies, for carrying into more detailed effect the provisions of the said Act.

"These documents being thus generally made known, His Majesty's Superintendent has only to add, that should the public meeting wish to offer any remarks thereon as applicable to this settlement, he shall most readily transmit the same for the information of the proper authorities at home.

(signed) "*Francis Cockburn.*"

The thanks of the meeting were unanimously voted to His Majesty's Superintendent for his gracious message of the day.

With respect to the two documents which His Majesty's Superintendent mentioned in his message as being transmitted to him by Mr. Secretary Stanley, and for the consideration of which he had been pleased to call the meeting together, the chairman stated that the contents

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tents of the former he supposed were well known to all present, but the latter was ordered to be read for their general information.

(*Here follow the Act of Parliament and the Printed Regulations.*)

Moved by John Samuel August, esq., and seconded by John Young, M. D., that a committee, to consist of the members of the Supreme Court and the magistrates, be appointed by this meeting to take into their immediate and serious consideration the foregoing draft of an Order in Council, with a view to reporting to this meeting in how far it may be necessary at this period to point out to the notice of His Majesty's Government what material changes may be required to adapt the enactments that may be framed for our guidance to the circumstances of the Settlement; and that the said committee do report thereon at an adjourned meeting, to be held on the 31st of December instant.

Carried unanimously; and the meeting adjourned accordingly.

(signed) *William Gentle,* Chairman.

31 December 1833.

The chairman stated, that it had escaped the observation of the meeting at the period of its adjournment, that the time and attention of the members of the committee would be necessarily engaged in other matter during the period of adjournment, and that the committee is not prepared to lay anything definitive before the meeting; it was therefore moved by George Hyde, and seconded by Alexander France, that the present meeting do stand adjourned till the 10th of January next.

Carried unanimously; and the meeting adjourned accordingly.

(signed) *William Gentle,* Chairman.

10 January 1834.

The report of the committee was laid upon the table and read.

Here followed the report which was withdrawn at a subsequent meeting.

The meeting having taken into consideration the report of the committee, approve of the same as far as it applies; and in consequence of the very great importance of the matter under consideration, resolve to adjourn until the 25th instant, that the committee may then report progress; and they add to the committee the names of Mr. Marshall Bennett and Mr. William H. Coffin.

And the meeting was adjourned accordingly.

25 January 1834.

The chairman informed the meeting, that the committee had agreed to this final report, which he would now cause to be read.

The following report was then read:

Report of the committee nominated at a public meeting of the inhabitants and slave proprietors in the British Settlement of Belize, to whom it was referred to consider further of certain enactments which had been framed by His Majesty's Government in reference to British Guiana, for the purpose of carrying into effect the Act of the Abolition of Slavery in the British West Indian Colonies.

The committee having read and considered with great attention the several chapters of the Order in Council relating to the British Guiana, have to observe, that as the public meeting at their sitting in October last did in their remarks on the same subject nearly embrace all the points contained in the Order in Council which can in any way apply to this Settlement, little has been left for them to do.

The committee, however, cannot refrain from saying, that the mode of government to be adopted towards the apprenticed labourer and his master, as laid down in the Order in Council, appears to them in itself so novel and difficult to be acted upon, that they anticipate serious obstacles in carrying its different measures into effect, especially as regards the duties of the stipendiary magistrates, in a Settlement where the apprenticed labourers will be necessarily scattered over an extensive tract of country, and the committee are further borne out on this question by the following facts:

1st. That in the few instances in which the slave has had occasion to complain of his owner, or *vice versâ*, either party appeals to the courts of judicature established in the Settlement.

2d. That crimes of a more serious nature, whether committed by the free man or slave, invariably have the same measure of justice, the offender being tried in the Supreme Criminal Court of the Settlement, at which His Majesty's Superintendent presides, the same being established under royal authority, and the whole of its proceedings conformable to the laws of England; consequently the same protection is afforded to the slave as the free, and that in minor cases in the inferior courts the same practice is always resorted to.

The committee having nothing further to add at this time, conclude with expressing an earnest and anxious hope, that His Majesty's Government will in their wisdom be pleased to direct that such regulations as they deem meet to frame for furthering the purposes of the Slavery Abolition Bill, being without the test of experience, that a suspending power be vested

vested in the Governor to alter and amend such parts thereof as may, when put in practice, be found unsuitable and inapplicable.

(signed) *William Gentle.* *Marshal Bennett.*
J. M'Donald. *John Young.*
William Maskall. *George Hyde.*
Charles Evans. *W. H. Coffin.*

Moved by William H. Coffin, esq., and seconded by Richard C. Wardlaw, esq., that the report made by the committee to this meeting on the 10th January instant be withdrawn, and that the chairman of the committee be allowed to substitute in its place the report just now made.

Carried unanimously.

Resolved unanimously, that this meeting approve of the report of the committee now read, and adopt the same as their answer to his Excellency His Majesty's Superintendent's message of the 18th December 1833, and most respectfully request that his Excellency will be pleased to transmit the same to the proper authorities.

(signed) *William Gentle,* Chairman.

— No. 349. —

Copy of a DESPATCH from Mr. Under-Secretary *Lefevre* to Colonel *Cockburn.*

Sir, Downing-street, 6 June 1834.

No. 349.

In the absence of Mr. Secretary Spring Rice, but by his directions, I have the honour to transmit to you an order made on the 5th instant by His Majesty in Council, for regulating the condition of apprenticed labourers in His Majesty's Settlements at Honduras, in pursuance of the Statute of the 3d and 4th year of His Majesty's reign, for the Abolition of Slavery in the British Colonies.

Order in Council, 5 June 1834, printed in the Appendix (B), No. 65.

In framing the Bill which was submitted to Parliament in their last session, it did not escape the notice of His Majesty's Government, that both the political relations in which Honduras stands to this kingdom, and the many peculiarities by which the internal economy of that Settlement is distinguished from that of all the other British possessions to which the Act applies, might give rise to many difficulties in the pratical execution of it. To obviate questions arising from the political state of Honduras, the 62d section of the Statute placed beyond doubt the existence and extent of His Majesty's legislative authority. To escape as far as might be possible from those embarrassments which the peculiar employment of the slaves seemed likely to produce in the adaptation of the general system to the exigencies of the Settlement, I had the honour, by Mr. Stanley's direction, to apply for assistance to Mr. James Hyde, a gentleman well known to yourself and to the inhabitants at large, as long and intimately conversant with the employments, interests and habits of the different classes of the local population. From Mr. Hyde I accordingly received a letter replete with many valuable suggestions. Of that letter I enclose a copy for your information.

28 January.

In the absence of any specific advice from yourself for the guidance of His Majesty's Government in framing the necessary Order in Council, they have been induced to attach the greater weight to the counsels with which Mr. Hyde has favoured them; and which indeed had been strongly recommended by their inherent weight, and by their consistency with whatever could be learnt from other sources of intelligence.

The general result is, to show that the system introduced into the Colonies of British Guiana, Trinidad and St. Lucia, can be extended to Honduras but in a very partial and imperfect manner; and that in the adoption of any part of that system, it is necessary that there should always be on the spot resources sufficient for the correction of any errors or oversights into which persons residing in Europe must unavoidably fall in attempting such legislation. You will accordingly perceive, that while the Order in Council has laid down the general rule, that the Trinidad law on the subject of apprenticed labourers shall be transferred to Honduras, it at the same time authorizes you to introduce any exceptions to that general rule which you may think necessary, either by the subtraction of what may be redundant, or by the addition of what may be wanting. Your duty will therefore consist in maintaining the Trinidad order, as far as it may

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be found practicable; relaxing, abridging or enlarging it, to meet those circumstances which here it was not possible with much confidence to anticipate.

I limit myself to these general remarks. It is not impossible that Mr. Spring Rice may think it right, at some early period, to enter more at large into the subject.

I have, &c.
(signed) *John Lefevre.*

Enclosure in No. 349.

Sir, St. Michael's-alley, Cornhill, 28 January 1834.

Vide Parl. Papers, Part 1, printed 16 July 1835, No. 177, pages 16 to 24.

I HAVE the honour to acknowledge the receipt of your letter of the 20th instant, transmitting a copy of the heads of a proposed Order in Council, in furtherance of the Act for the Abolition of Slavery, and requesting from me such observations thereon as my experience as a merchant connected with Honduras enable me to offer, more especially as regards the effects of such an order in that Settlement; and, in reply, I beg leave to observe, that the regulations in the said proposed Order in Council being intended for British Guiana, are in most respects inapplicable to Honduras, which not being an agricultural Colony, the slaves hereafter to be apprenticed have not been in any way attached to the soil or to plantations, for during the principal part of their time the men have been, and must continue to be, dispersed in the woods of that extensive country, employed in cutting down and manufacturing mahogany and dye woods, the natural produce of the Settlement, (and to which they are restricted by the Convention Treaty with Spain of 1786), in the manner explained in the letter I had the honour to address to Mr. Secretary Stanley, on the 15th instant, and to which I beg leave to refer. The female slaves to be apprenticed have been, and must continue to be, employed as domestic servants, seamstresses, &c. And it appears to me that, in respect to the slaves to be apprenticed in Honduras under the Act, nothing further is or can be requisite or necessary than to place them in all respects on a footing with any white person under indentures for a certain term, except their being exempt from the civil and military services and offices, during their apprenticeship, provided against in the 12th clause of the Abolition Act. In this way the apprenticed labourer will have the same recourse to and protection from the court in the Settlement as any other of His Majesty's subjects; and the detailed regulations respecting special justices of the peace, and extra police establishments, would be avoided and rendered unnecessary. I have found, from a residence and experience of upwards of 30 years in the Settlement, that the labour got from the slaves was always in a great degree obtained through very great encouragement and conciliation, and this must continue to be the case, because the slaves, when they thought they were neglected or ill-used by their owners, were in the constant habit of crossing into the Spanish settlements contiguous to the British district, where they were as free, being beyond the reach of their masters; and as, on such occasions, they were sure to inveigle others to accompany them, the woodcutters in this way met with serious losses, which they could only hope to prevent by conciliating their slaves in every way in their power, and obtaining their attachment, and which has produced a degree of cordiality and familiarity between master and slave nowhere else known. And as the slaves to be apprenticed in Honduras are already on a far better footing in every respect than the Abolition Act will entitle them to claim during their apprenticeship, I would humbly suggest, the best thing that could be done for the apprenticed labourers would be to engage their employers to continue to them, during the period of their servitude, the same allowances and indulgences they received as slaves, and in return for the same quantum of labour as formerly, to be given according to the usage of the Settlement, as explained in my letter of the 15th, before referred to. The usual labour is within the number of hours per week allowed by the Act, although from necessity required partly during the night for five or six weeks in the year during the trucking season. Hitherto the slave has worked but five days in the week for his master, being always paid for his Saturday's labour at the rate of half a dollar a day, besides being fed; and on Sunday they never labour unless voluntarily, and in cases of necessity, and for which they are always so liberally paid that they are glad to be employed, and they have always about two weeks holidays at Christmas, and usually some time allowed them, in the middle of the year, to visit their friends in town.

I do not consider the appointment of a special justice of the peace for the purposes of the Act necessary; but, as the Act seems to render such an appointment indispensable, I apprehend that one such magistrate would be sufficient for the small number of apprenticed labourers, and that his residence must be at Belize, which is the principal Settlement, and where the largest number of apprenticed servants will always be collected, that he may be present to hear the complaints of the labourers of this class, on their return from their occupations in the woods, which usually happens twice in the year.

In my humble judgment, the judicial and ministerial agency contemplated in the proposed Order in Council, as stated in chapter 1, are altogether inapplicable and unnecessary for Honduras, where special justices of the peace are not necessary to protect, and still less an extra police establishment to coerce, the apprenticed labourers, at least none should be appointed until His Majesty's Superintendent felt it necessary to establish it. My opinion is that such a police establishment would do more harm than good, and that the present police of the Settlement is sufficient for every purpose of the Act, and that the duty of the special justice

justice of the peace should be, at least in the first instance, to act in a great degree as a protector, and see that the same justice was exercised towards the apprenticed labourers by the courts of the Settlement, as to any other of His Majesty's subjects; and that all penalties for insubordination and non-performance of duty, shall be within the limits stated in the proposed Order in Council.

The procedure to be observed by the special magistrate in the exercise of his jurisdiction, as stated in chapter 2, could not be understood nor acted upon in Honduras, where there are no lawyers, and would be rendered altogether unnecessary if the labourers to be apprenticed under the Act are placed on a footing with white clerks and tradesmen who go out from this country under indenture to serve for a limited term, but without prejudice to the due fulfilment of their indentures under the Abolition Act.

I do not well understand the very detailed regulations for the division of apprenticed labourers into the classes as intended by the Act, and contained in chapter 3 of the proposed Order in Council; but in so small a community, where there are so few slaves, there can be no difficulty in obtaining and correcting returns with a just regard to the interest of both servant and employer.

In respect to the maintenance of labourers as proposed in chapter 4, I am persuaded the employer would not think of offering, nor would the apprenticed labourer in Honduras accept, or be at all satisfied with, a provision for his maintenance founded on the law of any other Colony: the manner in which they have been fed is pointed out in the documents I had the honour to transmit to the Colonial-office on the 15th instant.

I consider the regulations in chapter 5 proper for the guidance and restriction of the courts in the Settlement, and necessary to convince the apprentices of their obligation to serve their employers with the same diligence and fidelity as heretofore, until the end of their apprenticeship.

In reference to chapter 6, I would beg to observe, that the apprenticed labourer would, in the courts of Honduras, have a very simple, summary and effectual recourse upon his employer for payment due him for protracted labour extracted from him by force or fraud, or given voluntary, or for any other pecuniary claim; and I must at the same time point out the impossibility of any employer intimating to labourers dispersed in the woods the commencement or close of legal hours of labour, by any mode of signal visible or audible; but the necessity of this is obviated by task work always voluntarily undertaken by the labourers, from time to time, on the spot, upon viewing the trees to be cut down, and the nature of the ground upon which roads are to be formed. It will be evident that the remainder of the regulations of this chapter cannot be acted upon, as it respects gangs of free hired men and apprenticed labourers under the Act, working in the woods in Honduras; for these gangs being generally, for the greater part of the year, under the direction of a confidential and experienced slave, and where none can write, the agreements are necessarily verbal, and from day to day, for particular jobs. There is no difference made between free hired labourers and slaves or apprenticed labourers, in respect to task work, which is indeed always preferred by both parties; and there is little fear of one or other of these labourers undertaking a task they cannot very easily perform; in fact the performance of the task agreed upon cannot, from the desultory nature of the business, be looked after with anything like strictness; and on the whole, I am persuaded that any interference respecting the established modes of labour in Honduras would be as unacceptable to the apprenticed labourer as to his employer, and destructive to the good understanding which has always hitherto existed between them respecting work to be carried on.

I consider many of the enactments proposed in chapter 7 might be a useful guidance to the courts in Honduras; but the enactments 3 and 4 could not be acted upon, and are indeed rendered unnecessary by the enactment No. 5. On the subject of the enactment No. 8, I would observe, that the militia of the Settlement are under the command of the Governor for the time being, and can only be called out through him. And in respect to enactment No. 20, I believe all the vessels and crafts belonging to the Settlement are registered in the Governor's office at Belize; and I therefore consider the enactments Nos. 21, 22 and 23, as interfering with his department, and moreover, as superfluous and unnecessary.

Having never seen the Order in Council of November 1831, on the subject of slaves purchasing their freedom in British Guiana, referred to in chapter 8, I cannot judge how it would answer for Honduras; but the provision on this head, in the eighth clause of the Act for the Abolition of Slavery, seems to make a sufficient and equitable provision for apprenticed labourers purchasing their discharge on an appraisement.

Chapter 9 cannot in any way apply to Honduras, where the labourers, from the nature of their occupation as wood-cutters, are almost daily on the move from one spot to another, and periodically from one river to another, and any restriction of, or interference with, their necessary movements is impossible.

The enactments in chapters 10, 11 and 12, seem proper and necessary.

I have thus, in obedience to your desire, made such observations on the subject of the proposed Order in Council as my very long residence in and local knowledge of the Settlement of Honduras enable me to offer; and I shall be happy to give any additional information or explanations which may appear necessary in reference to the heads of the proposed Order in Council sent to me, and which document I return herewith, agreeably to your desire, although I should feel obliged by being favoured with a copy of it, to forward to the magistrates of Honduras.

I have, &c.

John Lefevre, Esq. &c. &c. &c. signed) *James Hyde.*

—No. 350.—

EXTRACT of a LETTER from Colonel *Cockburn* to Mr. Under-Secretary *Lefevre*; dated Government House, Honduras, 24 July 1834.

No. 350. I HAVE the honour to acknowledge the receipt of your letter of the 6th June, transmitting the Order of the King in Council, of the day preceding, for carrying into effect in this Settlement the Act of the 3d and 4th of His Majesty, for the Abolition of Slavery throughout the British Colonies; and I beg you will assure Mr. Secretary Rice, that in the exercise of the powers therein confided to me, all due caution and consideration shall be used. The discretionary authority with which I have been vested to introduce exceptions to the Trinidad law, when I may be satisfied of the necessity and propriety of so doing, cannot fail of being acceptable to the inhabitants of this Settlement; for it is in full concurrence with the request contained in their last memorial on the subject, forwarded with my Despatch of July 10 to Mr. Secretary Stanley.

I have attentively perused the letter addressed to you by Mr. Hyde on the 28th of January last; but I can by no means concur generally in the opinions it contains. My persuasion is directly at variance with his, as to the appointment of special magistrates and extra police establishments. He is of opinion that the courts of Honduras, as at present established, are fully competent to the duties of the one, and the present police of the Settlement to the duties of the other. On what grounds any one considering himself conversant with the actual and existing state of affairs in this Settlement could have formed such an opinion, I am at a loss to imagine. The duties of the magistrates to be specially appointed under the Slave Act will be very different, and ten times more burthensome than those devolving on the present bench. The latter are without any positive control over them. They go when and where they please; they stay from Belize or return to it as suits their convenience; nor in the event of their being wanted, would the knowing where to find them be by any means a matter of certainty. Would such practice and custom accord with the duties to be required from special magistrates? Again, the making the owners (which the magistrates generally are) judges with respect to their own conduct, as well as in that of their apprentices, when either the one or the other might be called in question, would be manifestly against the spirit of the Act of Parliament. With respect to the sufficiency of our present police establishment, I think Mr. Hyde must really have quite forgotten what it consists of. We have one police officer, who appoints and pays the expense of one constable (sworn in as such), to assist him. Mr. Hyde is of opinion that all the duties of the special magistracy can be performed in Belize. Here again I entirely differ with him; for were the apprentices once to imagine themselves, when in the mahogany woods, exempt from the visits of a superintending and controlling power, it would, I feel entirely convinced, operate as the greatest encouragement to idleness, profligacy and insubordination.

—No. 351.—

COPY of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Stanley*.

Sir, Government House, Honduras, 10 July 1834.

No. 351. I HAVE the honour to transmit herewith the proceedings of a public meeting which assembled on the 30th ult. Doubting whether the Orders of the King in Council would reach us before the 1st of August, I recommended to the meeting to pass a law of the Settlement, exempting apprenticed labourers from arrest for debt; considering that such a regulation might prevent much inconvenience both to the owner and to the apprentice. You will perceive that the meeting unhesitatingly adopted my suggestion, and concluded their proceedings by a renewal of their assurance to co-operate, in the fullest and most complete way, to carry into effect, as far as possible, all such regulations as His Majesty's Government may think necessary to make for the purposes of the Abolition Bill.

The

The memorial directed by the meeting to be addressed to His Majesty's Superintendent I have subsequently received, and a copy thereof is herewith enclosed. To every statement which it contains I can sincerely offer the strongest confirmation; and so fully am I aware that, if the regulation respecting the labour of apprentices was exclusively enforced, it would render the apprentices entirely useless, that, until further instructed by you, I shall take upon myself to sanction such an arrangement in this respect as may meet the views and interests of the mahogany cutters, and be in every respect unobjectionable to the apprentices.

I have, &c.
(signed) *Francis Cockburn.*

Enclosure 1, in No. 351.

EXTRACT from the MINUTES OF PROCEEDING at a Public Meeting of the Inhabitants, held at the Court House, Belize, Honduras, on the 30th June 1834.

Message:

In reference to the 22d clause of the Slave Abolition Bill, His Majesty's Superintendent suggests to the meeting the expediency of a regulation being made in this Settlement, to prevent legal process being had against apprenticed labourers, for debts contracted by them; and rendering all civil contracts entered into by them null and void, unless previously sanctioned and approved of by a special magistrate. Enclosure 1, in No. 351.

The memorial drawn by a committee and approved of by the public meeting on the 25th January last, was transmitted to Mr. Secretary Stanley on the 5th March. No answer has yet been received, and His Majesty's Superintendent has nothing further on this head to submit for consideration. Should the meeting however, on its part, have any further suggestions to offer on any point connected with the emancipation of slaves, or the important change which is to take place respecting them on the 1st of August, such suggestions will be met on the part of His Majesty's Superintendent with all due consideration, and an anxious wish to fulfil the views and wishes of the public meeting, in this as in all other respects.

(signed) *Francis Cockburn.*

The thanks of the meeting were unanimously voted to his Excellency His Majesty's Superintendent, for his gracious message.

The meeting proceeded to take into consideration the clause of His Majesty's Superintendent's message, respecting the exemption of apprenticed labourers from being arrested for debt, when the following Resolution was moved by Jervis Harrison, and seconded by James Banks:

Whereas it appears by the 22d clause of an Act of the British Parliament, intituled "An Act for the Abolition of Slavery throughout the British Colonies," that it may be expedient that apprenticed labourers should, during the period of such apprenticeship, be exempted from arrest for debt: Be it therefore enacted, by and with the consent of His Majesty's Superintendent, and it is hereby enacted by the authority of the same, that from and after the 1st of August 1834, no person or persons becoming apprenticed labourers by virtue or under the authority of the said Act, shall be subject to arrest or imprisonment for any debts, due or demand contracted during the continuance of such apprenticeship; and that no apprenticed labourer shall be subject to any civil suit, process or molestation whatever, in any of the courts of this Settlement, for any debts, dues or demands contracted during the period of such apprenticeship; provided always, that nothing contained in this Act shall be construed to interfere with the usual course of the criminal jurisprudence of the Settlement.

Carried unanimously.

With regard to the clause of His Majesty's Superintendent's message, it was moved by George Hyde, and seconded by George Adolphus, that this meeting having had reference to the minutes of a special meeting, held at Belize River's mouth, the 21st of October last, for the purpose of declaring their acceptance of, and their willingness to co-operate as far as possible in carrying into effect the Act of the British Parliament for the Abolition of Slavery, considered they had fully complied with what is required by the 44th clause of the Act, in providing for the same being carried into effect. That they can only now reiterate their former declaration made at the meeting aforesaid; and that this meeting pledges itself to co-operate in the fullest and most complete manner, to carry into effect, as far as possible, such regulations as His Majesty's Government may think necessary to make for the purpose of this Act.

Further, that this meeting do appoint a committee for the purpose of taking into consideration the various other subjects already referred to in the reports made to the public meetings of last year by their committee, and to which his Excellency states, that he has received no answer from the Secretary of State; and in particular, that the attention of the committee be drawn to the subject of what exceptions it may be necessary to recommend regarding the inapplicability

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inapplicability to this Settlement of that part of the Abolition Bill which restricts the period of the labour of the apprentices to 7½ hours per day, and 45 per week.

That the committee shall consist of the same persons who formed the previous committee on this subject; and that it shall be authorized to draw up a memorial to His Majesty's Superintendent on this subject.

Carried unanimously.

Enclosure 2, in No. 351.

Sir,

Enclosure 2, in No. 351.

THE undersigned members of a committee appointed by the legislative meeting, held at Belize River's mouth, on Monday the 30th of June 1834, for the purpose of drawing up an address to His Majesty's Superintendent on the subject of the 3d paragraph of his message to the meeting; having met, and after the most mature and deliberate consideration having been given to that important subject, beg leave in the first place to have reference to memorial of a public meeting held on Saturday the 26th October last, presented to your Excellency, for the purpose of being laid before His Majesty's Government; and also the report of a committee made at a special public meeting, held on the 25th January 1834, on the subject of a minute of a proposed Order in Council indicative of the views of His Majesty's Government, as respects the various legislative measures which remain to be taken in the Colonies, for carrying into more detailed effect the provisions of the said Act, leaving it to the meeting to offer any remarks thereon as applicable to this Settlement; by which memorial and report it was fully set forth and demonstrated that any material alteration in the number of hours of daily labour to be performed by apprenticed labourers, would render that class of persons altogether unavailable for the purposes of wood-cutting, and particularly for the following reasons:

First, that for three months of the year, or the trucking season, labour is performed for the most part during the night, as regards both the persons employed to load and drive the trucks; this does not arise from the whim or the caprice of the wood-cutter, but from causes over which he has no control, namely, the heat of the climate. The oxen employed for the purpose of dragging out mahogany are not so constituted as to work during the heat of the day; the great distance which wood has now to be brought to the river side, subject to the many casualties that may happen to cause detention, prevents any exact calculation from being made of the number of hours required for making a trip; your Excellency will therefore readily perceive, that it would be attended with the most fatal effect to the wood-cutters to employ persons who, at the expiration of seven-and-a-half hours labour, might, at any distance he might be from the river, say to himself, "my hours of labour have expired," and consequently abandon his charge, leaving his team of oxen to perish by being exposed to the heat of the sun, and for want of food and water.

Secondly, We also consider it of the highest importance to recal to your Excellency's consideration, what was set forth in our former memorial respecting free labour, that the free labourer in every respect performs the same duties as the slave in the business of wood-cutting, intermixed together, and, in fine, the one cannot be distinguished from the other but by personal knowledge; both generally perform their labour by task-work for nine months in the year; and while we can put it with confidence to your Excellency to say, if either freeman or slave ever complained of being overtasked, we humbly conceive we can with safety assert that the slaves of this country have heretofore never been overworked.

If apprenticed labourers could be employed exclusively by themselves, in the business of wood-cutting, their being restricted to a limited number of hours work daily would not be objectionable, at least for nine months in the year; seven-and-a-half hours being quite sufficient to perform the quantity of labour heretofore done, but the two classes cannot be separated; any alteration therefore affecting free labour cannot be carried into effect.

We can scarcely suppose, that with these facts authenticated by your Excellency, that His Majesty's Ministers, or the British nation, can have any insuperable objection that the apprenticed labourers in Honduras should be placed in the same condition regarding labour as freemen; we are the more assured of this, being convinced that the British Legislature never intended to render the labour of apprentices unavailing to their employers, but to prevent their being overworked.

Your Excellency may believe us when we express our deep regret at being constrained to advance so much difficulty in carrying into effect, according to its exact letter, the provisions of the Bill for the Abolition of Slavery, without such modification as to your Excellency may appear absolutely necessary. You will also, no doubt, readily perceive, that on the score of interest it would be preferable for the settlers to abandon the benefit to be derived from the apprenticed labourer, than to make such innovation and alteration in the present system of free labour; the slaves then, although unconditionally emancipated, could not be employed as wood-cutters, as we can scarcely contemplate the inconsistency of their engaging to perform as freemen the same quantum of labour as was objected to when apprenticed labourers; that class would therefore necessarily become a grade lower in the scale of society, by being compelled for subsistence to have recourse to that description of labour that merely yields animal existence. It will therefore be for your Excellency to modify that part of the Bill restricting to a limited number of hours labour, in such way as in your wisdom you may deem calculated to avert the consummation pointed out. As regards the non-arrival of any

of

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of the stipendiary magistrates, it may be necessary to observe, that the free labourer is stimulated to a performance of his engagement, from a knowledge of being mulct in part his wages for non-performance or neglect of duty; in like manner the slave has been stimulated to a performance of his duty from a desire to preserve his character, and a reluctance of incurring the displeasure of his owner, rather than from the dread of punishment. These stimulants have been found to act, on these different classes, in a similar way; but those ties of mutual benefit which bound the slave to his former master being cut asunder, the authority of the magistrate appointed for that purpose will no doubt be necessary to preserve orderly conduct, and to punish the apprenticed labourer for neglect of duty. We therefore contemplate with consternation and dismay the probability of so numerous a class of persons being cast loose on the Settlement in the course of a very few days, without any laws to govern their conduct; we are therefore under the imperious necessity, in behelf of ourselves and fellow settlers, to call upon your Excellency to adopt such measures as in your wisdom you may think fit, for the preservation of the lives and properties of His Majesty's subjects, as well as for the maintenance of the peace and tranquillity of the Settlement.

We have, &c.

(signed) *Wm. Gentle.* *Wm. Maskall.*
Geo. Hyde. *Andrew Kennedy.*
Wm. Walsh. *J. M'Donald.*
John Young. *W. Williamson.*

To his Excellency Colonel Cockburn,
His Majesty's Superintendent, &c. &c. &c.

— No. 352. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Colonel *Cockburn.*

Sir, Colonial Office, 18 Sept. 1834.

No. 352.

I have to acknowledge the receipt of your Despatch of the 10th July, enclosing the proceedings of a public meeting held on the 30th of June at Belize; and with reference to the measure you recommended the meeting to adopt, in the absence of positive instructions from home, to meet the change in the condition of the negroes on the 1st of August last, I have only to express to you my hope that the Order of the King in Council, enclosed in Mr. Lefevre's Despatch to you of the 6th of June, will have enabled you to obviate the difficulty anticipated, in a manner consistent with the spirit of the Act. Under the impression that you will have been relieved from any embarrassment by the arrival of the Order, it appears to me unnecessary at the present moment to enter further into the contents of your Despatch.

I have, &c.
(signed) *T. S. Rice.*

— No. 353. —

Copy of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Spring Rice.*

Sir, Government House, Honduras, 11 August 1834.

No. 353.

In reference to my Despatch of the 24th July last, I have now the honour to enclose a copy of a document notified to the public here at the same time with the Orders in Council for Trinidad and Honduras; and by which you will perceive what alteration I have deemed it expedient to make in the regulations established for Trinidad, with a view to meeting the customs, habits and localities of this Settlement.

Document showing alterations made in the Trinidad Order in Council, 5 June 1834, by the Superintendent of Honduras; printed in the Appx. (B), No. 66.

It may be proper for me to add, in explanation of the alterations I have made from 2 to 15 inclusive, of the clauses contained in cap. 4, that the slaves in this Settlement received a ration doubly valuable compared with that laid down in the orders for Trinidad, and that they were paid for their Saturday's labour, which will still be the case.

I have, &c.
(signed) *Francis Cockburn.*

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— No. 354. —

Copy of a DESPATCH from the Earl of *Aberdeen* to Colonel *Cockburn*.

Sir, Downing-street, 29 December 1834.

No. 354. Your Despatch of the 11th August last was duly received at this department, with the enclosed document, by which you notified to the settlers at Honduras the alterations which, in pursuance of the powers vested in you, have been made in His Majesty's Order in Council for regulating the condition of apprenticed labourers, in order to adapt that law to the peculiar circumstances of the Settlement.

I have to signify to you His Majesty's approbation of the substance of the measure which you adopted. The form, though very unusual, is recommended by so much practical convenience, and is at once so simple and intelligible, that an Act of far more artificial structure would probably have answered the purpose much less effectually. I do not, therefore, object to this innovation in this particular case, having regard to the reasons by which it was apparently dictated.

I have, &c.
(signed) *Aberdeen.*

— No. 355. —

Extract of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Spring Rice*; dated Government House, Honduras, 12 August 1834.

No. 355. Considering the Order in Council imperative as concerns the employment of police gangs, and that their services are indispensable in this Settlement, two, consisting of one sergeant and five privates each, have been established accordingly; the rate of wages, 7 *l.* 10 *s.* currency per month to the sergeant, and 5 *l.* currency (equal to 3 *l.* sterling) per month to each of the privates; they are also to be supplied with a good and sufficient ration of provisions. I fear you will consider the terms on which these persons have been engaged as very high; but I can assure you they are the common prices of the country, and the same as paid to all the men employed in the coasting mahogany vessels.

— No. 356. —

Copy of a LETTER from Colonel *Cockburn* to Mr. Under-Secretary *Lefevre*.

Sir, Government House, Honduras, 13 Aug. 1834.

No. 356. You will, I am sure, be anxious for information from all the Colonies as to the working of the Slave Abolition Bill. The period which has elapsed since the 31st July has been unattended here by any actual disturbance, though certainly much dissatisfaction has been evinced on the part of the manumitted slaves. They do not, nor can they easily be made to understand, the obligations attached to their freedom. Their idea is that the King has made them free, and therefore that the making them work for six years longer without pay, is an act of injustice. I have seen a great number of them, and endeavoured to explain to their comprehension the real state of the case. They do not dissent from what is told them; and they so far seem to comprehend it, that although several had avowed a disinclination to return to their work, yet more have persevered in a refusal so to do. It is, however, quite evident that the six years' apprenticeship has counterbalanced in their estimation all the ulterior advantages held out to them by the Bill; they look to the present only, and therefore, finding that they are not "to all intents and purposes set free, and discharged from all manner of slavery at once," they neither feel benefited nor gratified at what has been done for them. I shall not relax in my exertions to set them right; and in this respect feel confident of the cordial co-operation of the employers.

employers. Still I cannot but feel some apprehension that rather than meet the six years' apprenticeship, they will avail themselves of the facility which attends their quitting the Settlement, and proceeding to the neighbouring republics; such a result would be highly prejudicial; every precaution therefore, you may rely on it, shall be taken to prevent it. I shall continue to keep you informed on this interesting subject by succeeding opportunities.

I remain, &c.
(signed) *Francis Cockburn.*

— No. 357. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Colonel *Cockburn.*

Sir, Downing-street, 6 October 1834.

No. 357. I have to acknowledge the receipt of your letter to Mr. Lefevre, of the 13th August last. The misapprehensions which you describe as existing in the minds of the apprenticed labourers of Honduras have prevailed in other Colonies, and by advice and expostulation in many cases have been prevented from leading to any dangerous results. I have no doubt that your experience and prudence will devise and apply the best means of removing from the minds of the apprenticed labourers the impression, either that they are free from all restraint, or that there is no improvement in their social condition. I am quite aware that the position of the Settlement over which you preside is peculiar, and that cases may arise in which some of the negro population may abandon their homes for the territory of the neighbouring republics. But if the provisions of the new law are cordially and strictly carried into effect; if the rights and privileges secured to the apprentice are as firmly maintained as his obligations are on the other hand enforced, I cannot but entertain a confident expectation that desertions will not be numerous.

Awaiting the further communications which I shall hope soon to receive from you,

I have, &c.
(signed) *T. Spring Rice.*

— No. 358. —

Copy of a DESPATCH from Colonel *Cockburn* to Mr. Secretary *Spring Rice.*

Sir, Government House, Honduras, 13 Aug. 1834.

No. 358. The 18th and 19th clauses of the Slave Abolition Act confine the investigations of special magistrates to matters between employers and apprentices; and I therefore consider, that should an apprentice have cause of complaint against any other than his employer, or *vice versâ*, the matter must be referred to the court of the Settlement. I am however of opinion, that under the 11th and 24th clauses of the Order in Council, cap. 2d, special magistrates may require the attendance of any persons capable of giving evidence on any matter to be inquired into between an apprentice and employer. May I request to be informed whether my opinions in these respects are correct?

I have, &c.
(signed) *Francis Cockburn.*

— No. 359. —

Copy of a DESPATCH from Mr. Secretary *Spring Rice* to Colonel *Cockburn.*

Sir, Downing-street, 8 October 1834.

No. 359 I have received your Despatch, dated the 13th of August last, in which you express your opinion, that "should an apprentice have cause of complaint

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against any other than his employer, or *vice versâ*, the matter must be referred to the courts of Settlement;" and that under the Order in Council, "special magistrates may require the attendance of any person capable of giving evidence on any matter to be inquired into between an apprentice and an employer;" and you request to be informed whether your opinions in these respects are correct.

I have therefore to acquaint you, that I concur in your interpretation of the law, upon each of the questions which you have thus brought under my notice.

I have, &c.

(signed) *T. Spring Rice.*

— No. 360. —

EXTRACT of a LETTER from Colonel *Cockburn* to Mr. Under-Secretary *Lefevre*; dated Government House, Honduras, 11 Sept. 1834.

No. 360. I HAD the honour of addressing a letter to you on the 13th August, relative to the working of the Slave Abolition Bill in this Settlement; and I have now much pleasure in stating, that the discontents and difficulties which I then expressed an apprehension of have been in no way realized; on the contrary, the apprentices have returned to their work, and their employers seem perfectly satisfied with their exertions. The gentlemen appointed by me to act as special magistrates have so far fulfilled the duties entrusted to them to my entire satisfaction; and I have so much confidence in a continuance of their best exertions, that I anxiously hope their appointments will not be interfered with from home.

— No. 361. —

EXTRACT of a LETTER from Colonel *Cockburn* to Mr. Under-Secretary *Lefevre*; dated Government House, Honduras, 22 Oct. 1834.

No. 361. I AM much gratified in being able to confirm my favourable account of the Slave Bill; nothing can work better than it appears to do. In short, I have heard no complaint, and anticipate no difficulty.

— No. 362. —

EXTRACT of a LETTER from Colonel *Cockburn* to Sir *George Grey*, bart., Under-Secretary of State for the Colonies; dated Government House, Honduras, 15 Dec. 1834.

No. 362. THE apprenticed labourers are going on well; and although nearly the whole of them will be assembled here at the ensuing Christmas, I do not anticipate any disturbance, complaint or difficulty.

— No. 363. —

COPY of a DESPATCH from Colonel *Cockburn* to the Right Honourable Lord *Glenelg*.

My Lord, Government House, Honduras, 1 July 1835.

No. 363. I HAVE much satisfaction in transmitting herewith a letter which I have received from William Maskall, esq., a special magistrate of this Settlement, and which is accompanied by a journal, detailing his proceedings on a tour of inspection up the Belize River. In addition to the information received from Mr. Maskall, I have reports from all parts of the Settlement, and I am fully justified

justified in assuring you, that so far from receiving any complaints, the employers, on the one hand, express themselves fully satisfied with the labour performed for them by the apprentices, and the apprentices, on the other, declare themselves sensible of, and grateful for, the kind treatment they receive from their owners. At no period has labour been better, or more cheerfully performed; all parties are satisfied; and I trust I may say that the slave emancipation has answered, as far as this Settlement is concerned, the utmost wishes of its most sanguine supporters.

I have, &c.
(signed) *Francis Cockburn.*

Enclosure 1, in No. 363.

Sir, Belize, Honduras, 17 June 1835.

Enclosure 1, in No. 363.

I HAVE the honour to transmit to your Excellency a journal of my tour up the River Belize, visiting all the mahogany and other establishments of apprenticed labourers, agreeably to your instructions; and it is most gratifying to me to relate, and I am certain it will be equally so to your Excellency to find, that during my route of three weeks I had but one solitary complaint, and that of a trivial nature, against a female; and I am fully justified in stating, that having frequently (during a residence in this Settlement for the last 18 years) had occasion to be with, and seen the management of various establishments, I have never witnessed more peace, good order and quietude than on the late occasion; and I am fully satisfied, that when the apprenticed labourers are away from Belize, and kept from those banes to society, grog-shops, and the idle and mischievous people in town, they are disposed to be civil, industrious and contented. Comfort and happiness are as much as possible studied by employer and apprenticed labourer, and every duty appears to be performed cheerfully and entirely satisfactory to both parties; inasmuch as I have observed, during my late visits in the establishments of Mr. Gentle and Mr. Anderson, in Roaring Creek, men who were very clamorous and noisy in your Excellency's presence, in the assemblage at the Government House, during last Christmas, have since that time behaved in a most exemplary manner; and their employers declared these labourers never behaved better, or so well before; and the labourers asserted their entire satisfaction with the employers during the late arduous undertaking of getting out mahogany, to the most minute scrutiny as to treatment; so much so, that the employers have declared to me, for such good conduct, it is their decided intention to reward them accordingly.

I have, &c.
(signed) *William Maskall.*

To his Excellency Colonel Cockburn,
His Majesty's Superintendent,
&c. &c. &c.

Enclosure 2, in No. 363.

JOURNAL, 1835.

Enclosure 2, in No. 363.

26th May, Tuesday.—BEING directed by the King's Superintendent to proceed up the Belize River to visit the various establishments and mahogany works in said river, left town this morning, and proceeded as far as Burrell's Bank to-day. A few apprenticed labourers at various plantations, and at the latter place, but upon inquiry, no complaints from either employer or labourer.

27th May, Wednesday.—Proceeded upwards; called at Baker's and a few other establishments, where the apprenticed labourers are more numerous than in the journey of yesterday, but found all quiet; no complaints, except by Susannah Potts against her female apprenticed labourer; but as she was on the point of going to town, I referred her to Special Justice Grigg; arrived at Pattanet's Bank, above Black Creek, about three o'clock P. M.; issued the following notice, and held a session at four; no complaints.

"Copy of Notice proclaimed by Serjeant of Police, here and afterwards, at the several Mahogany Works during our Tour.

"I, William Maskall, one of the special justices in and for this Settlement, do hereby make known to all concerned, that I shall hold a session here this day, and therefore call upon all and every employer or employers of, or apprenticed labourers, having any complaints to make, now to come forward and they shall be heard.—God save the King."

28th May, Thursday.—This morning Mr. Robert Turnbull and part of his gang passed me for town; no complaints. Upwards, above the Great Falls; called at several small establishments on the way; no complaints.

29th May, Friday.—Visited the establishment of Mr. William M'Kay, Cochreco Bank; no complaints. Proceeded on to Mr. Robert Turnbull's Bank at Beaver Dam; all quiet; no complaints.

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30th May, Saturday.—Visited Miss Mary Hume's gang at Rock Donda; no complaints. Onwards to Mr. George Hume's works at Mount Pleasant; found all perfectly quiet; no complaints. Slept at Orange Walk cattle pen.

31st May, Sunday.—Sabbath-day, rested.

1st June, Monday.—Went to Mr. William Gentle's mahogany works in Roaring Creek; flood in the same; all hands out driving wood.

2d June, Tuesday.—This morning held a session; no complaints; employer declared himself satisfied with labourers, and labourers with employer. Went to Mr. Richard Anderson's Bank above; hands all out at work.

3d June, Wednesday.—Held a session this morning; no complaints, employer and labourer declaring themselves quiet, contented, and perfectly satisfied as to all transactions during the late dry season. Returned back to Orange Walk; slept there.

4th June, Thursday.—Proceeded on to Mr. William Usher's Bank at Society Hall, above Monkey Falls; arrived about five o'clock; slept there.

5th June, Friday.—Held a session this morning; labourers assembled; no complaints by them or employer; onwards to Miss C. Paslow's cattle pen; met Mr. Samuel F. August and all his gang returning from the branch; no complaints.

6th June, Saturday.—Started early at branch mouth; about eight o'clock, A. M. entered the right-hand branch; visited Mr. Marshal Bennett's gang at the Hermitage Works; hands out at work; left notice with the captain that I shall call to see them early on Monday morning.

7th June, Sunday.—Sabbath; at Mr. Anderson's vacated bank, above the last works.

8th June, Monday.—Visited Mr. Marshal Bennett's gang at the Hermitage Works; held a session; no complaints. Rode over to Garbutt Falls, in left-hand branch; held a session at Mr. Marshal Bennett's establishment there; no complaints.

9th June, Tuesday.—Returned, calling at Miss Clarissa Paslow's establishments at Mountain Cow Fall; no complaints. Visited Mr. William Vaughan's works at Bamboo Bank in said branch; held a session; no complaints. Onwards to right-hand branch; proceeded downwards to Cakoow Run, in Main River, the bank of Mr. Samuel F. August; found he had moved to Mount Hope, at Cakoow Run. The police gang apprehended an apprenticed labourer named Jonathan Meighan, belonging to Mr. George Garnett, who has absented himself from his employer's service since the 1st of August last; kept him prisoner, complaint of bad conduct against him having been preferred in Belize by his employer previous to my departure.

10th June, Wednesday.—Visited Mr. Samuel August's gang in Barton Creek; held a session; no complaints. Returned to Mount Hope, the establishment of Mr. Samuel F. August.

11th June, Thursday.—This day held a session at Mount Hope; no complaints.

12th June, Friday.—Proceeded down the river to Beaver Dam.

13th June, Saturday.—Left the latter place; went up Labouring Creek; strong flood; got to Mr. Morris Cunningham's Bank about nine o'clock at night; found all quiet.

14th June, Sunday.—Rode to Mr. William St. Coffin's gang, above the latter bank; found all the people happy and contented. Being pressed for time, left their establishments, and returned down the creek. Slept immediately above the Great Falls.

15th June, Monday.—Downwards (flood in river) to Baker's.

16th June, Tuesday.—Returned to Belize; lodged prisoner, Jonathan Meighan, in gaol.

Belize, Honduras, 17 June 1835. (signed) *William Maskall.*

— No. 364. —

COPY of a DESPATCH from Lord *Glenelg* to Colonel *Cockburn.*

Sir, Downing-street, 15 August 1835.

No. 364.
Order in Council, 12 August 1835, printed in the Appendix (B.), No. 67.

I HAVE the honour to transmit to you herewith an Order of the King in Council, dated the 12th instant, confirming and allowing certain regulations for adapting to the state and circumstances of the British Settlements at Honduras the provision of the Order made by His Majesty in Council for giving effect to the Act for the Abolition of Slavery within the Colony of Trinidad, and declaring that adequate and satisfactory provision hath been made by law in the said Settlements at Honduras for giving effect to the said Act by such further and supplementary enactments as are therein contained.

I am, &c.

(signed) *Glenelg.*

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—No. 365.—

No. 365.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Bahamas, 5th August 1833.

I HASTEN to remove any anxiety which you may feel about the reception, in this Colony, of the debates and resolutions about Slavery.

We had heard some time (nearly fourteen days before the arrival of the mail) of the debates on Monday night, the 10th of June; but later intelligence we had not until Sunday the 28th ult., when the mail of the 13th of June arrived.

I found, in the interim, that though they were perfectly quiet, there were among the slaves evident symptoms of anxiety, and a watchful desire to know what the news would be, and how their fate was to be decided.

I therefore wrote a short and simple address to them (suited to the capacity of their understandings) which was given to be printed early on the 29th; but fearful lest I should be too soon in the field, and thus excite when I intended to lull, I did not mean to have it published, and gave orders to that effect.

The printer, however, having given a few copies to some gentlemen, who were on the point of calling on me to request that I would issue something of the sort, I conceived that it would be worse to check the publication after it had thus begun, than to allow it to go forth. It was, therefore, published; and I have the honour to enclose a copy.

I am glad to say, that however anxious the slaves are, yet they are perfectly tranquil.

I called on the four clergymen here (our two parish rectors, the head of the Methodists and the Baptist missions) and explained to them what His Majesty was pleased to say, through you, regarding their duties; and I requested that the very first symptom of insubordination or impatience which came to their knowledge might be reported to me. I spoke also to one of the leading free coloured men, and to one or two other respectable persons, in the lower grade of life, to the same effect, and I am rejoiced to say that I have not received any communication from them.

In sending copies of the address to the Out-Islands, I directed a short circular to be forwarded to the magistracy, exhorting them to quiet vigilance, at the same time cautioning them against becoming alarmists; and my belief is, that in the Bahamas at least, this important moment will pass in peace.

I have called upon the Attorney General for his report how far material changes must take place in the Colonial Code, in consequence of the change in the character of the labourer. The matter is now under his consideration; and as slaves here are chattels, great part of the difficulty vanishes at once.

In this Colony there are few gangs of slaves, except in one or two of the Out-Islands, where there are salt-ponds. This is strongly in favour of the success of the plan proposed; but more will depend on the efficiency of the means by which the law will be enabled to assert its rights, and punish those who treat their apprentices badly, than on any sort of declaratory enactment.

If the Legislature here meets His Majesty's views cordially, a great deal will be done.

Enclosure in No. 365.

Enclosure in No. 365.

ADDRESS TO THE SLAVE POPULATION OF THE BAHAMA ISLANDS.

By His Excellency *Blayney Townley Balfour*, Esq. Lieutenant-Governor in and over the Bahama Islands, &c.

My Friends and Fellow Subjects,

You have heard that the Parliament of Great Britain is about to do something for you. I only heard yesterday what the House of Commons has agreed to do, and I hasten to let you know it, that you may not be led away by liars, or induced by ill-disposed persons to offer resistance or disobedience to your masters, nor in any way to disturb the public peace; for if you do, you will not only be severely punished, but you will prevent the Parliament from finishing what it has begun for you.

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The House of Commons (which is one great part of Parliament) has agreed to make a law, by which you will be *free*, but you all know that freedom does not mean that you must not work. You will be *free*, but you will be made apprentices to your masters for some years, and be obliged to work a certain number of hours every day for them.

In a few years afterwards, in six or seven perhaps, if you conduct yourselves well, you will be *altogether free people*, like those at Grant Town or Carmichael.

The House of Commons has not yet fixed when you are to begin to be apprentices, nor for how long you are to be so; do not believe any one therefore who says the change has yet begun, or that it will be immediate.

I am your friend; I will never deceive you: I will tell you whenever the time is fixed for slavery to end; that is, when you are to begin to become apprentices. But you must not forget that you are at present slaves, and that if you are disorderly or riotous I must punish you, and compel you to be quiet and obedient—so the King has ordered me, and so I will do. But I hope better things of you; I hope you will remain quiet, peaceable and obedient; if you are so, be assured that care will be taken of your interests, and better care than any exertions of your own can effect.

Government House, Nassau,
July 29, 1833.

B. T. Balfour.

— No. 366. —

No. 366.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Bahamas, 18th November 1833.

Vide Papers printed by Parl. 15th April 1835, Part I. No. 177, p. 8.

I HAVE the honour to acknowledge the receipt of your circular Despatch of the 5th of September, by which I perceive that it is proposed to issue Orders in Council for the code of the Crown Colonies and the guidance of the Legislative Assemblies.

In this Colony however, from the consideration that there is not, among the various Colonial possessions of His Majesty, any one whose productions are like, or whose inhabitants are placed in circumstances similar to the Bahamians, and therefore that no Order in Council framed for another place could apply to the local peculiarities of these Islands, I have myself undertaken, with the assistance of the Attorney-General, to propose to the legislative bodies here, the necessary measures auxiliary to the Slave Abolition Law.

I trust, Sir, that you will not see in this proceeding, any ill-judged effort of zeal. It is evident that your object must be to have your measures carried into effect with unanimity and ease, and if I am guilty of anticipating or even evading your directions, it has only been done in order that I might consult the feelings of the assembly.

I proceeded, on Tuesday last, to meet the two Houses, and in a speech which I have the honour to enclose, communicated to them the plan which I intended to pursue.

The Bill which I caused to be presented to them, was to continue the existing, but about to expire, Slave Registry Law. This I propose to re-enact for fifteen months longer, with a Schedule, including in addition to the usual provisions, one column, descriptive of the occupation of each labourer for the 12 months preceding the 28th of August 1833.

No. 367.

— No. 367. —

EXTRACT of a DESPATCH from Mr. Secretary *Stanley* to Lieutenant-Governor *Balfour*, dated Downing-street, 2d January 1834.

I HAVE received your Despatch of the 18th November last, in which you intimate your intention of proposing to the Legislature of Bahamas the necessary measures auxiliary to the Slavery Abolition Law, without reference to the suggestions which were intended to be furnished to you by His Majesty's Government.

You will already have received my circular Despatch of the 19th October last, enclosing those suggestions, in the form of heads of an Order in Council for the Colony of British Guiana. I trust that in accordance with the instructions to that effect, you will have laid that document before the Legislature of the Bahamas for their consideration; for although some of the provisions contained in it, may, owing to the very peculiar physical and local circumstances of the Bahamas, be inapplicable to that Colony, yet I think that many of the suggested regulations, especially those relating to a system of police, and to the manner of procedure before the special justices, will be found extremely useful.

— No. 368. —

No. 368.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Bahamas, 19th November 1833.

THERE is nothing of interest to communicate in the present state of the Colony; but I have, in the most earnest manner, to request that you will consider the extent of range in the Bahamas when apportioning the resident magistrates under the new law.

The separation into islets; the distances between them; the lengths of some of them, and the want of roads, and the little communication which the inhabitants have with each other, will altogether prove one of the greatest obstacles to the successful working of the new law in this Colony, for I am well aware that we ought reasonably to expect fewer magistrates than the other Colonies, if we are to be judged by our relative degrees of importance; but if considered by the quantity of ground which the whole group of the Bahamas covers, we should require more than many of them.

This is, however, a matter, Sir, entirely for your consideration.

— No. 369. —

No. 369.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Bahamas, February 19th, 1834.

I HAVE the honour to enclose the Colonial Slavery Abolition Law as assented to by me last week, and which I trust will be found to be such as His Majesty may be advised to approve.

Printed in the Appendix (B.) No 68.

It does not, however, contain any suspending clause, because it appeared to some gentlemen that as we can only have the expression of His Majesty's pleasure at the earliest by the July mail, if any unforeseen delay were to occur in transmitting it, we should have run the risk of being without any code for the government of apprenticed labourers, had we inserted a clause of this nature.

We have, however, by the last clause of the Act, done what will, I trust, be considered as a fair compensation for the want of a suspending clause.

A Registry Act calling on all persons to return a list of their slaves as on the 31st of July, and the way in which they have been occupied since the 28th of August 1832, has also been passed this session.

And the division of the Colony into districts for the stipendiary magistrates, with some arrangement for gaols and constables, would, I believe, have been effected, had we known how many we are to have.

The want of this knowledge has, however, been a complete obstacle to any Bill of this nature, and at present nothing of the kind has been proposed.

—No. 370.—

No. 370.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor *Balfour*.

Sir, Downing-street, 19 July 1834.

I HAVE had under my consideration your Despatch of the 19th February last, and the Act which it enclosed, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves.'"

It is a source of great regret to me, that I am unable to communicate to you His Majesty's unqualified approbation of this important Act; for I am fully satisfied that the Legislature of the Bahamas have endeavoured to perform the task assigned to them with fidelity, and with a sincere intention to carry into complete effect the measures contemplated by Parliament and His Majesty's Government.

It is under this conviction, and in the confidence that the Legislature will be desirous of completing the good work which they have thus commenced, and that they will unhesitatingly adopt the amendments which His Majesty's Government find it necessary to recommend, that I shall proceed to point out, with as much succinctness as circumstances will permit, the various defects which appear to exist

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exist in this Act, and the modifications and alterations which will consequently be requisite.

As the Act has been put together with but little attention to the orderly arrangement of the topics it embraces, I shall, with a view to perspicuity in the following observations, adhere to the division and method observed in the draft of the projected Order in Council, circulated for general information, and transmitted to you in my circular Despatch of the 19th October last.

Circular, printed in the First Part of the Parliamentary Paper, No. 177, p. 11.

1st,—The first chapter of that model draft corresponds with the 48th and 55th and five following sections of this Act: the subject is the judicial and ministerial agency to be employed. There is, however, little resemblance or conformity between the provisions suggested and those which have been actually adopted under this head.

The omission of the provisions relating to the division of the Islands into districts, and to the police establishments, is accounted for by the Legislature having passed a distinct Act on that subject, which I shall notice in a subsequent communication to you.

The provision made by the 48th clause of the Act now under consideration, for securing peace and good order on the plantations, although beneficial both to the employer and the apprentice, requires some alteration, in order to bring it within the scope and intention of the Act of Parliament for the Abolition of Slavery. It should be made clear that the constables who are by this clause directed to be appointed, are only to be armed with the authority of the law, and are to be responsible for the due exercise of that authority to the special magistrates, and not to the proprietors or managers of the plantations.

The right to confine for safe custody should, as regards apprentices belonging to the plantation, be limited to cases in which any others of His Majesty's subjects might be taken into custody by the ordinary constables, and to cases in which it is presumable that the apprentice having offended against the law established by this Act will attempt to escape.

Moreover, all buildings used as places of confinement, however temporary, should be regularly licensed, and visited by one or more of the special magistrates.

This same section 48, authorizes the whipping by the master, of boys under the age of fourteen, and of girls under the age of twelve, who it is said "may be moderately chastised by their employers, in the same manner as apprentices and other children and youths in England are or may be then lawfully chastised by their parents or guardians, masters or teachers, for idleness or other petty offences." Conceiving this provision to be at variance with the Act of Parliament, which makes no exception of this nature, I trust that the Assembly will perceive the necessity of repealing it.

In addition to this observation, I feel it my duty to state, that in questions of penal legislation, above all others, it is necessary that enactments should be clear and distinct, and not founded, as in this clause, upon a very loose analogy, open to misconception, and not conveying any sufficiently distinct idea to the minds of those who are to administer, or who may be subject to the law.

The 55th, 57th and 58th clauses establish tables of fees to be paid to the special justices *not* receiving stipends under the Act of Parliament, to the provost, marshals and constables, to jailers and workhouse-keepers, and to the colonial secretary. These fees appear to me to be of such an exorbitant amount, that I should anticipate the entire obstruction of the law, unless they are altogether abolished, or very greatly indeed reduced. In support of this remark, I will trace the expense incidental to the case of a complaint to a justice of the peace, terminating in the imprisonment of an apprenticed labourer. The justice would receive 2*s.* for the summons or warrant, 2*s.* for each written examination, and 8*s.* for his judgment. The provost-marshal, or constable, would have for his attendance 2*s.*; the same sum for each verbal or written summons; 4*s.* for the arrest, 2*s.* upon the commitment, and 6*d.* upon each mile he had to travel, both coming and returning. Then the jailer would charge 1*s.* 6*d.* for receiving the prisoner, and 1*s.* 6*d.* more on his discharge. If the prisoner should be confined in the stocks, the jailer is to have an additional profit of 1*s.*: each solitary confinement will yield him 2*s.*, with 6*d.* for every additional day; but if the prisoner is to be whipped, the jailer's remuneration is to amount to 3*s.* Thus, in a case in which there should be but one summons, one witness and one examination, the charge of bringing an offender to justice must amount to 25*s.* at the least; but if a multiplication of witnesses or of punishments be supposed, the charge for fees might be double the amount, or much more. These

fees

fees are in many cases to be paid by the party convicted, and in others by the prosecutor. There is little risk in predicting that such an enactment will prove the most effectual security which could be taken against the special magistrate having his powers called much into action. Employers will administer by their own assumed authority, domestic punishments to save the expense of invoking the magistrate. Labourers will submit to injustice rather than allow their little earnings to be devoured by these official fees.

Entertaining this opinion of the three clauses to which I have last adverted, it will be my duty to recommend His Majesty to disallow them, under the power given to him for that purpose in the 68th section of the Act.

I admit however that the question of remunerating the various parties, upon whom new official duties will be imposed under this Act, is one of considerable difficulty. With respect to the special magistrates, I am extremely unwilling that any of them should receive remuneration, except those for whom Parliament has provided a stipend. The peculiar local circumstances of the Bahamas, however, may render it impossible for you to find a sufficient number of individuals belonging to the Colony, able and willing to discharge the duties of special magistrates gratuitously. If this should be the case, and the Legislature of the Bahamas should think fit to assign a fixed annual remuneration to one or more additional stipendiary justices, not exceeding 300*l.* per annum each (the remuneration being definitively assigned to the office, and not to the individual holding it), I shall be prepared to sanction such an arrangement.

As regards the constables and other subordinate officers who cannot be expected to act gratuitously, I shall not object to their being reasonably remunerated by fixed annual stipends. As considerable expense will thus be thrown on the Colony, I should be disposed to recommend the addition of some adequate enactment, under which parties bringing forward groundless complaints should be compelled to pay certain reasonable fees or fines unto the Colonial Treasury.

2d,—The second chapter of the model draft regulate the procedure to be observed by the special magistrates, in the exercise of their jurisdiction; on that subject this Act is silent, except that the 62d clause authorizes the Governor in Council to establish forms for all summonses, writs, warrants and minutes of proceeding, to which the magistrates and others are required to conform. This delegation of authority avoids instead of encountering the difficulty, and is perhaps not made in terms of quite sufficient amplitude. Adverting however to the great peculiarities of the case of the Bahamas, I am not aware that any better method could have been taken than that which is supplied by the creation of this subordinate power of legislation.

3d,—The third chapter of the model draft provides for the division of apprenticed labourers into their respective classes. Although the sections of the Act which embraces this subject, and which are from the 2d to the 5th, from the 8th to the 10th and the 63d, might admit of simplification and improvement, I do not think it necessary to suggest any amendments upon them.

4th,—I might in like manner pass over the subject of the fourth chapter of the model draft, relating to the maintenance of the apprenticed labourers, and which in the Act before me is provided for by the sections 20 to 26; 41 & 65.

I am unwilling however to withhold the expression of my opinion, that these enactments provide amply and satisfactorily for the maintenance of an apprenticed labourer, and that having regard to the limited resources of the proprietors in the Bahamas, they deserve no small measure of praise for the humane and liberal spirit in which they have legislated both now and heretofore on this important subject.

5th,—The duties to be performed by the apprenticed labourers, and the penalties for their non-performance, constitute the subject of the fifth chapter of the model draft. In the Act under consideration, the same topic is comprised in the sections from 28 to 40, and sec. 46.

The correspondence is in general so well maintained, that this part of the law seems to me to require only the few following notices.

The 12th section of chapter five of the model draft, denounces punishments against labourers for drunkenness, fighting, insolence and insubordination. In substitution for these provisions, the 36th section of the Act authorizes the punishment of apprenticed labourers convicted before the special justices of "any offence against the person, property, just rights or character of his employer, or any other person or persons whatever." In other words, for any offence against any body, the

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apprenticed labourer may be whipped or imprisoned, or placed in the stocks by the order of any one special justice.

In so far as this provision extends to offences against any other person or persons whatever, besides the employer of the apprenticed labourer, it appears to me to be at variance with the Act of Parliament, which did not contemplate distinctions between apprenticed labourers and other free persons, except such as were necessarily connected with the obligations of the apprenticeship. Independently of this objection, I cannot but disapprove of the generality of the enactment which would render the apprenticed labourer liable to punishment for offences, not susceptible of any previous definition; some of which, as for instance, offences against the character of the employer, which would in fact involve all the difficulties incidental to the law of libel, certainly should be left to be disposed of by the ordinary legal tribunals of the Colony.

I hope, therefore, that the Legislature of the Bahamas will consider, whether it is not expedient to adopt the more definite provision contained in the model draft, for which this section has been substituted.

The 13th section of the fifth chapter of the model draft, forbids the use of stocks in the punishment of women, unless made after the model which the Governor shall have previously sanctioned. This provision is omitted in this Act, but as experience has shown that the omission may lead to many and serious mischiefs, you will not fail to draw the attention of the Legislature to it, and to urge its insertion.

6th,—The sixth chapter of the model draft pointed out the duties to be performed by the employers towards their apprenticed labourers, and the penalties for their non-performance. These topics are treated of in sections 16 and 19 and 27 of the Act.

The 16th and 19th sections which relate to task-work, and to contracts for hire only, render it necessary that agreements of this nature shall be made in the presence of one or more competent or literate witness or witnesses.

This enactment does not appear to me to be adequate to the protection of the apprenticed labourers, and I should therefore recommend an enactment, requiring that such arrangements and contracts as are contemplated in the 16th and 19th sections, should be entered in books to be kept on the respective plantations for that purpose; and that upon complaint made to the special justice by any apprentice labourer who may be a party to such arrangement or contract, the special justice shall be authorized to inquire whether the terms of any such arrangement or contract were distinctly understood by such apprenticed labourers entering into the same, or by such majority of labourers as are mentioned in the 16th section, and whether such labourers, or majority of labourers, entered such arrangement or contract, freely and voluntarily, and whether the same is reasonable and just, and to make such adjudication in the matter as the justice of the case may require.

In the 18th section of the Act, the employer is authorized to employ his apprenticed labourers on Sunday in carrying his stock to market by water carriage. Unless this provision is intended to be confined to cases of actual necessity, it would be a direct infringement of the 21st clause of the Act of Parliament. I should, therefore, recommend the omission of this part of the 18th section, and the insertion of an exception coincident with that of the Act of Parliament.

The observations which I have made upon the objectionable generality of the 36th section apply in a considerable degree to the 27th section of the Act, which provides, that on the conviction of any employer or other person "for any offence against the person, property or just rights of any apprenticed labourer," before any special justice or justices, the punishment of which by the Act is not otherwise particularly provided for, the party shall suffer fine and imprisonment, the fine not exceeding 20*l.* nor the imprisonment lasting more than 30 days. I think that, in amending this enactment care should be taken to confine its operation strictly to offences incidental to the relation been employer and apprenticed labourer.

7th,—The model draft next contained the chapter numbered 7, on offences which might be committed by the apprenticed labourers against the State, and the punishment of such offences.

These suggestions have been to a considerable extent followed from the 42d to the 45th, and in the 47th, 49th, 50th, 52d, 61st, 66th and 67th of this Act.

I regret, however, that I am unable to sanction several of these clauses.

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The restrictions imposed on the apprenticed labourer by the 52d section appear to me to be objectionable in principle, and at variance both with the letter and the spirit of the Act of Parliament. To prevent the apprenticed labourer from quitting the limits of the plantation to which he is attached without the leave of his employer, would preclude the labourer from hiring out his leisure time to any one but his employer, not only is a species of monopoly of the labourer's voluntary services thus given to the employer, but the liberty of the labourer is still further infringed upon, and an additional impediment to the free exercise of his industry is created by the arbitrary regulations contained in this section, under which he is prevented from cultivating or even dealing in a great variety of articles.

I am disposed to believe that these provisions would go far to prevent the acquisition by the negro of those habits of voluntary industry which it was conceived by those who framed the system of apprenticeship would be gradually but certainly introduced, and upon the attainment of which the future prosperity of the Colony entirely depends.

It is enacted (cap. 49) that the marriages of the labourers may be solemnized by a minister of the Church of England or of Scotland, or of any known religious persuasion, or by any justice of the peace. By the 55th clause a fee of 2*s.* is to be paid on the marriage, and 2*s.* more for the registration of it; a charge which, light as it may seem, might yet I apprehend not seldom turn the scale in favour of concubinage and against matrimony. Declining as beside the present purpose the abstract question as to whether marriage ought ever to be solemnized as a mere civil contract, I apprehend that it is contrary to the scheme of Parliament and the whole policy of their measures, that on a subject so important any distinction should be made between apprenticed labourers and other persons of free condition. The dissenting minister and the justice of the peace ought, I conceive, to be at liberty either to celebrate all marriages or ought to be incompetent to celebrate any. Whatever tends to perpetuate the distinction of caste in the Slave Colonies, however trifling in itself, arises from that circumstance into serious importance.

It is provided in the 50th section, that no one shall produce an apprenticed labourer as a witness unless the party requiring his evidence shall "by affidavit satisfy the court, judge, magistrate or other authority that the evidence verily expected from the intended witness is material to the case to be tried or investigated, and that the presence of such witness is necessary to the purposes of justice." The object is, I presume, to prevent labourers from being withdrawn too frequently from the plantations to give evidence. Without denying the possibility of some such inconvenience (which is not however peculiar to the Bahamas, but is felt from the same cause wherever courts of justice exist), I apprehend that the precaution taken by this Act will practically go far to exclude their evidence altogether. Such an affidavit as the Act requires could scarcely ever be made by the public prosecutor, still more rarely could it be taken by the litigant in a private suit or action. If, before issuing a writ or summons for the attendance of a witness, the court must be satisfied of the materiality and necessity of his testimony, they must hear the cause by anticipation, and supply by conjecture the evidence to be then given. The prosecutor and the suitor must publicly disclose the whole course of the evidence they propose to give, often to the utter defeat of justice, and endless delays must be interposed in the administration of the law. The adoption of this enactment would go very far to reinstate one of the most indefensible parts of the slave code, viz. the rejection of slave evidence.

It is enacted in the same clause, that no labourer shall be competent to give evidence to any fact committed before the 1st August 1834, and to which while in a state of slavery he would have been an incompetent witness. I can perceive no ground for supposing that the veracity of a free man, though worthy of trust as to what happens when he is free, is entitled to no confidence at all as to what may have happened when he was a slave; and I cannot but think that, to close the lips of the future free man in all courts of justice upon every occurrence antecedent to his manumission, would be to keep alive for no imaginable good purpose an opprobrious memorial of his former servile condition.

For the reasons which I have already stated, it will become my duty to recommend the disallowance of sections 52, 49 and 50.

I think, nevertheless, that in case the attendance of an apprenticed labourer is required as a witness before the ordinary tribunals of the Colony, the employer is entitled to a fair remuneration for the loss of the labourer's services occasioned to him

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him by such attendance, and I shall not object to a provision for effecting that object.

The 8th chapter of the model draft related to the dissolution of the apprenticeship by contract or purchase. The 11th, 12th and 13th sections of the Act under consideration embrace this subject. This part of the Act appears to be open to considerable objection; the enactments on this subject are ambiguously and unsatisfactorily expressed, and they contain no provision for the security and apportionment of the money to be paid for the discharge of the apprentice. These points are however of minor importance compared with the principle upon which the appraisement of the apprentice's service is to be made.

In assessing the price to be paid to the employer for the discharge of the apprentice when effected, not by contract between the parties, but *invito domino*, the appraisers are required to take into account (sec. 12.) "not only the general value of the interest" to be bought and sold, "but also any particular circumstances attending the particular case submitted, taking into consideration any special damages, loss or inconvenience to which the party entitled as aforesaid may be exposed by reason of his, her or their being deprived of the service of such apprentice as aforesaid."

This enactment appears to have been borrowed from a corresponding provision in the law for the compulsory manumission of slaves, which was repeatedly condemned by the King in Council as unjust and inconvenient. The slave holder, not satisfied to obtain by appraisement the market price of his slave, insisted on having an estimate made of all his own losses and incommodities, present or future, certain or contingent, which might arise from the manumission. For example, the loss of a head driver, if not replaced by the purchase of another before crop time, might diminish the crop by one-tenth in amount; therefore, in addition to the price which would probably be given for the substituted driver, if such a one could be found, the owner demanded compensation for the risk he run of losing one-tenth of his crop. I am satisfied that such a mode of appraisement is not only unjust in principle, and inconsistent with the intention of the Imperial Parliament, but that it would throw many and almost insuperable difficulties in the way of that class of apprenticed labourers, who would in general be the most desirous of purchasing their discharge, the most likely to furnish the means of effecting such purchase, and the best fitted for the performance of the duties and obligations of free citizens. I earnestly hope, therefore, that the Legislature of the Bahamas will amend this part of the Act, so as to remove the objections which I have felt it my duty to notice.

The removal of prædial apprentice labourers from one plantation to another is the subject to which the 9th chapter of the model draft, and the 15th section of this Act are devoted.

The Act of Parliament, sec. 9, forbids any such removal until it should have been ascertained that the transfer would not have the effect of separating the labourer from his or her wife or husband, parent or child. The Act under consideration requires that the child to be so separated from his parents shall not be under the age of 14 years. This deviation from the terms of the British Statute may be pronounced contrary to law.

If any person shall remove an apprentice without the consent of the special magistrates, or if, on applying for such consent, he shall be guilty of any concealment or misrepresentation to the justices, whereby an unlawful separation shall take place then it is said, "the person so guilty, on being duly convicted of such concealment or misrepresentation, shall pay a fine varying from 10*l.* to 20*l.*" Here two offences are supposed, into one of which only concealment or misrepresentation must enter as an ingredient; yet the proof of such concealment or misrepresentation is required in order to the conviction in both cases. I have no doubt that this is a mere grammatical inaccuracy, but it would be material in practice.

The apprenticeship of children is regulated by the 10th chapter of the model draft, and the 61st section of the Act under consideration. Under this head I perceive nothing requiring notice.

Chapter 11th of the model draft relates to the alienation by sale, inheritance or will, of the services of apprenticed labourers; the 11th section of the Act relates to the same topic.

This clause authorizes the separation from their parents of children above the age of 14 years, a provision which I have before had occasion to note as illegal.

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It provides that the interest of the employer shall not be subject to execution or sale under a judicial process. This appears to me perfectly unreasonable towards the creditor. If indeed execution sales were hereafter to be accompanied or followed, as hitherto they have been, by the seizure and imprisonment of the unoffending labourer, or by his forcible separation from his home or his kindred, there would be good reason why he should no longer be the subject of such legal process. But as those abuses are prohibited, this question is now to be debated merely between the creditor on the one hand and the debtor on the other. In that light it is of great and general importance.

In the Bahama Islands cultivation is carried on upon borrowed capital to a far less extent than in the West Indies properly so called. Yet there are not wanting in the Bahama Islands many mortgages; and if there the mortgagee be excluded from enforcing his demand against the services of the labourers, a precedent will be established for imitation in Jamaica and Trinidad. The result of it would be that the mortgagee could never enforce for the next six years his remedies for his debt. Should he seize the plantation without thereby entitling himself to services of the labourers, he must make with the mortgagor such terms as he could for obtaining those services. When the debtor had his creditor at this disadvantage it is needless to say what would be the consequence.

The last subject treated of in the proposed model draft is the relation in which the apprenticed labourers will stand to the State. Upon that topic corresponding provisions are to be found in the 14th, 23d and 51st sections of the Act. The words of disqualification for civil and military offices, employed in the 51st section, appear to me unnecessarily rigid. They forbid any apprenticed labourer from serving on any arbitration, appraisement or the like. I am unable to discover why such a person, if chosen as an umpire or appraiser, should be forbidden from discharging that duty, always assuming that the employment was performed in his own leisure and not in his master's time. He is also forbidden from holding any elective or other office or *situation* in His Majesty's service or *otherwise*, in or under His Government. These expressions are large enough to reach the case of a schoolmaster, a parish clerk, toll-keeper, and the like. Now the principle on which Parliament sanctioned the exclusion of the apprenticed labourers, I apprehend to have been, that while in that condition they could not safely be entrusted either with political authority or with military power. To carry the interdict any further would seem very bad policy, as it prevents men from rendering themselves fit for those higher stations which in the lapse of a few years they will be called to fill. To obliterate the memory and the feeling of caste, and to teach the apprentices to think of themselves as integral parts of the society to which they belong, partaking in its advantages and interested in its welfare, is the obvious policy by which all legislation on this subject should be directed.

I cannot conclude these observations without expressing my satisfaction that the Legislature of the Bahamas did not insert a suspending clause in this Act; and that they sanctioned the introduction of an enactment by which His Majesty is enabled to disallow any section or sections of it.

The course which they thus thought proper to adopt was well calculated to prevent, and will have actually prevented the serious inconveniences which might have ensued in the Colony, in case no law for the regulation of apprenticed labourers had been in actual operation on the 1st of August, or in case His Majesty had been under the necessity of disallowing the whole Act in consequence of the impossibility of sanctioning some particular sections thereof.

I have, &c.

(signed) *T. Spring Rice.*

—No. 371.— No. 371.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Nassau, Bahamas, 18 March 1834.

I HAVE the honour to forward a copy of the Police District Act, passed in the present Session.

Act printed in the Appendix (B.) No. 69.

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No. 372.

— No. 372. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Stanley*, dated Government House, Nassau, 14 July 1834.

I HAVE the honour to inform you that I have called together the General Assembly of these Islands, and that I this day opened the Session in a speech, of which I inclose a copy.

You will perceive, Sir, that I allude in it to some symptoms of insubordination among the negroes, and in my language on this head, I regret to say that I have, from prudential motives, rather understated my feelings. I fear, from accounts which have reached me within the last three weeks, that the slaves in some of the Islands are resolved not to work after August 1st, on the plea that the King has made them free, and that I, in concert with their masters, am endeavouring to cheat them of this boon. This feeling is, I find, most general among the slaves at Exuma and Eleuthera, where the largest gangs are, (excepting Turk's Islands, to which I shall hereafter allude), and the non-arrival of the special justices has made my situation more embarrassing, for, in the fullest confidence that they would have been here long since, I had not, till very lately, issued any address or proclamation to the slaves.

My reasons for this hope, were founded both on the nature of this Colony, (which I have had the honour to explain to you fully), and on the fact that in Jamaica some of these gentlemen arrived last year; I thought therefore that the three destined for the Bahamas, would probably have been sent out in sufficient time to enable them to reach their respective stations, make their arrangements, learn the nature of their local position, &c. &c., and take, if necessary, the proper precautions against any breach of the peace, before the 1st of August, which I now fear is hopeless. As, however, I had not heard of the approach of the special justices, I caused an address to be printed a few weeks ago, and about 14 days since, I engaged a vessel to take my private secretary round some of the Islands, that he might read it aloud to the chief gangs, and explain to them the real truth. In fact I am pretty well aware that their asserted ignorance of their approaching situation is unreal, and only assumed in order to furnish them with an excuse hereafter.

I also made use of the good terms on which I have ever been with the dissenting clergy here, to enlist them on my side; and as they have, from their habits and the tenor of their useful lives, no slight weight among the lower orders, I augur well from their exertions in favour of peace.

With reference to my address, which has, I am sorry to find, given some offence here to the masters, it was written with the express view of impressing on the slaves the exact truth of their position. I deem it both prudent and wise, in our present state, to take care that those, from whom alone I apprehend any insubordination, should know perfectly, both the rights which the law has given to them, and the duties which it requires from them.

Enclosure in No. 372.

Enclosure in No. 372.

EXTRACT of Lieutenant-Governor *Balfour*'s Speech to the General Assembly.

I HAVE learned from the Secretary of State, that he has desired three special justices to proceed to this Colony; a proportion larger perhaps than strict reasoning would have led us to expect, when we reflect on the whole number furnished by England, and the smallness of our slave population, as compared with that of the other Colonies, among whom these magistrates are to be distributed; but at the same time so inadequate to the demand, caused by the natural position and local peculiarities of our Islands, that it would be vain for us to expect from them any thing like proper efficiency or power. If, therefore, the system of apprenticeship is to be maintained in full integrity, and with a proper regard to the peace of the community, and the welfare of employer and servant, it appears to me that we must supply, from among ourselves, a sufficient number of special justices. This consequence is, indeed, so clear to me, that I have sent to the Out-Islands, to 16 gentlemen, to entreat them to accept special commissions; which number, with the three from England, and one whom I mean to appoint in Nassau, will make up the whole allowed by law.

Mr. Speaker and Gentlemen of the House of Assembly,

It is evident that the duties imposed on the special justices, are neither light nor pleasing. I cannot, therefore, expect that these gentlemen will act without some remuneration, and for the means of affording it, I look to your liberality. At the same time you will have to recollect, that the small sum now allowed by law to each magistrate for house rent and the

payment

payment of constables, weighs heavily, in the aggregate, upon the Colonial finances. You will, therefore, have to consider how far the present taxes will enable us to meet the expenditure thus called for, and if inadequate to that end, how they may be most easily augmented.

Mr. President and Gentlemen of the Council,

Mr. Speaker and Gentlemen of the House of Assembly,

The accounts which I have received from the Out-Islands, are not exactly such as I would wish, although I cannot say that they ought to inspire any considerable uneasiness. There appears to be prevalent among some of the negro population, a wilful, or if not a wilful, at least an unfortunate misconception of their approaching condition. To meet and dissipate this, I have done all in my power, and have, with this view, lately sent a friend round many of the Islands, for the purpose of clearly explaining the truth; and I have considerable reliance on the effect which his efforts will produce. At the same time I think, that the propriety of enabling me to call out the militia, if I think it necessary, may well enter into the subject matter of your deliberations.

I feel confident that, with the blessing of Providence, our counsels will be so guided, as to lead the Colony safely through the coming change; and I trust that I shall not be supposed to depart from the proper limits of an address of this nature, if I entreat you all, in your private as well as in your public characters, to seize every fit occasion of inculcating on all ranks and all colours, the stern necessity of maintaining a scrupulous and guarded obedience to the laws. Such, we know, ought at all times to be kept up, but in moments like the present, when we cannot expect the minds of men to be in their habitual repose, it is peculiarly incumbent on every good subject to take especial care, that he avoid all kind of provocation, for, if any excitement be given, it is beyond the power of man to calculate how far its consequences may be extended, by either ignorance or malevolence, or how they may affect the well-being and happiness of society.

Council Chamber, 14 July 1834. (signed) *B. T. Balfour.*

ADDRESS TO THE POPULATION OF THE BAHAMAS.

By his Excellency *Blayney Townley Balfour*, esquire, Lieutenant-Governor, &c. &c. &c.

Fellow Subjects and Friends,

In a few weeks slavery will be at an end, and I therefore address you, that you may all know the chief points in the new system, and that you may not offend the laws through ignorance.

Masters, remember that you must feed and clothe your apprentices, and otherwise provide them according to law. Remember, that you have no right to strike or imprison an apprentice, but if he deserves punishment you must take him to a special justice.

Slaves, you will on the 1st of August lose this name, and become free; but as I told you last year, you will not be altogether free, but for a few years you will have to work for your masters as apprentices; that is to say as free servants, who receive food and clothes, and house, instead of wages in money.

Now what is the difference between a slave and an apprentice? It is great: a master may flog a slave; he may not, dare not, strike an apprentice, or he will be punished.

A master may imprison a slave in the workhouse; he may not imprison an apprentice.

A master may make a slave work every day in his plantation; he may only make an apprentice work five days in each week, and only nine hours each day; and the master must feed his apprentice every day, and find him a house and clothing.

But some of you are sailors, and some are house servants, and of course those must work every day, and perhaps for more than nine hours. But then, in return, the law says that those who work every day shall be entirely free in four years, and those who work in the fields cannot be entirely free until the end of six years.

When you become entirely free, you will have to pay for the house and food and clothes, and medicine, which your masters are now obliged to give.

If you are idle or insolent to your masters, they will complain to the justice, and you will be punished. If your masters treat you badly or strike you, or imprison you, you may complain, and they will be punished.

And now farewell; be obedient and quiet, and the law will protect you; but if you are not so, remember the law can and will punish you.

Given under my hand and seal at arms, at Nassau, in the Island of New Providence, this twenty-seventh day of June, in the year of Lord one thousand eight hundred and thirty-four, and in the fifth year of His Majesty's reign.

(signed) *B. T. Balfour.*

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No. 373.

— No. 373. —

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor *Balfour*, dated Downing-street, 1 September 1834.

I HAVE received your Despatch of the 14th July, reporting the measures which you had adopted, and the communications which had taken place between yourself and the Council and Assembly, in reference to the then approaching change in the condition of the negroes.

I trust that long before this Despatch reaches you, the three special magistrates sent out by my predecessor will have arrived in the Bahamas.

The representation which you make of the inadequacy of their numbers to give effect to the apprenticeship system, in a population scattered through the numerous islands, which constitute the Colony under your government, is so forcible as to be entitled to my most serious consideration. But as the total number of special magistrates has been communicated to Parliament by my predecessor, and as the provision for their support is limited by the vote of the House of Commons, it will be necessary that I should submit the case to the other members of His Majesty's Government, before I can convey to you a final decision upon it. I feel every confidence, however, that in my next I shall be enabled, to a certain limited extent, to meet your views.

Whilst I regret the difficulties to which you were exposed, by the delay which appears to have accidentally arisen in sending out three special magistrates, who were appointed by my predecessor, it affords me much satisfaction to perceive that your own efforts were very actively and judiciously employed, to make the transition from slavery to apprenticeship as safe and auspicious as possible. Your communications to the Assembly, and your address to all classes of the inhabitants, appear to me to have been well-judged; and the measure of sending your secretary round to the islands, to read the Address to the slaves, was the best that could be adopted under circumstances by which you were yourself necessarily detained at the seat of Government.

No. 374.

— No. 374. —

COPY of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Spring Rice*.

Sir, Government House, Bahamas, 10 September 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of the 19th of July.

As the Legislature meet on Saturday, after an adjournment of a few weeks, I shall then have an opportunity of laying your sentiments before them. I shall, nevertheless, venture on one or two remarks, in order to defend myself from the imputation of carelessness, in assenting to an Act of so important a nature, which appears to have so many failings.

The clauses containing the fees appeared to me at the time to be faulty in principle; but, as far as the apprentice was concerned, I conceive that the 59th clause amply defended him. I am, however, glad to say, that they have been already repealed by a law lately passed, intituled, "An Act to provide for the payment of Salaries to certain special Magistrates," &c., a copy of which I enclose.

Act printed in the Appendix (B.) No. 68 & No. 70.

The procedure to be observed by the special magistrates was not included in our Act on principle; it was felt that the Governor could impose whatever rules he thought fit over men, supposed to be removeable at his pleasure, or at least under his direct control; and as we did not anticipate that we should have so very few special justices, it was deemed safer to leave them as much discretionary power as possible, subject to the control only of the Governor.

In your remarks on the generality of the 36th clause of our Act, you have expressed a desire that some of the offences should be left to the ordinary tribunals of the Colony; on general principles, where the impartiality of the judiciary is necessarily supposed, this could not be disputed; but in this Colony, I fear the interests of the apprentice would have been much better guarded by the special justices, checked by their monthly report to the Governor, than by any higher tribunal.

The

The water-carriage allowed on Sunday applies only to vessels arriving from other islands, and, as the voyages are of uncertain length, it is impossible to prevent it.

There is no other water-carriage known here, so that it is in fact consistent with the clause in the Act of Parliament, but the language might have been more precise.

In the limitations of the fruits and vegetables cultivated by the labourer, in the 52d clause, I confess I fully concurred; and I regret that it does not meet with your sanction.

Experience has shown, that where no restrictions exist of this kind, the proprietor is plundered and the industrious labourer not always benefited: for instance, it may happen that A. an industrious and honest man, has Indian corn growing in his own grounds; B. an idle vagabond, buys some from him, and steals the same quantity from his master's plantation, sending it off to the market for sale. If suspected, he proves that he bought some about the time of the robbery; and thus the honest labour of the one causes, perhaps, suspicion to fall on several, gives a cloak to robbery, or rather to pilfering, and is eventually of little value to the labourer, to whom, by the same 52d clause, the permission is continued of cultivating almost every article that free negroes are in the habit of raising. With reference to the marriages of apprenticed labourers, the only addition to the existing law was the permission given to dissenting ministers to perform the ceremony, obviously meant for the benefit of the labourer. Justices of the peace have always performed such ceremonies on the islands here, where no resident clergymen are (that is to say, in all except Turk's Islands and New Providence), between people of every condition; and although I believe such marriages to be illegal, yet the Legislature refused lately either to legalize or to check the practice.

I am certain, therefore, that the negro will consider the proposed change as anything but a benefit, for his feelings of shame at having been a slave are much less acute than can be supposed; I doubt, indeed, if he feels it at all.

With respect to the remarks on the enactment, that the interest of the employer should not be liable to judicial process or execution, I beg leave to state this was entirely a boon to the labourer, not indeed to the prædial attached, but to the others, who, when the clause is altered, will be liable to be taken, if families are not separated, and removed from their homes and masters at the will of any creditor.

And as to mortgages, I do not, nor do any of my Council know of one in the Colony. There have been, in some cases, bonds given with warrants to satisfy judgment, in which certain slaves were named as the property to be forfeited in default of payment; and in these cases I know that the compensation-money is regarded by the creditor as the only property to be attached.

I cannot conclude these few remarks without expressing my own satisfaction that the only clause suggested directly by myself, being the last in the Act, has met with your approbation; although, as it was in direct opposition to the instructions which I received, I was in some doubt as to the propriety of proposing it.

I have, &c.

(signed) *B. T. Balfour.*

— No. 375. —

No. 375.

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Spring Rice*, dated Government House, Bahamas, September 13th, 1834.

I HAVE the honour to report to you that the Colony is in a very tranquil and satisfactory state: there have been very few acts of insubordination during the last month, and every thing goes on better than I anticipated.

— No. 376. —

No. 376.

EXTRACT of a DESPATCH from Mr. Secretary *Spring Rice* to Lieutenant-Governor *Balfour*, dated Downing-street, 30th October 1834.

I HAVE great pleasure in acknowledging the receipt of your Despatch of the 13th September, in which you inform me that the Colony under your Government at the period at which you wrote was in a very tranquil state. This fortunate result, amongst

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amongst other circumstances, I attribute to the very prudent course taken by you, and the co-operation you have met with both from the authorities under your command and from other classes of His Majesty's subjects.

No. 377.

— No. 377. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Spring Rice*, dated Government House, Bahamas, 14th October 1834.

WITH reference to your Despatch of the 19th July last, I have the honour to forward a copy of an Act passed by the Legislature of the Bahamas in the month of October last, intituled, "An Act to amend an Act of the General Assembly of these Islands, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, 3 & 4 William IV. cap. 73. for the Abolition of Slavery.'"

Act printed in the Appendix (B.) No. 71.

No. 378.

— No. 378. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Balfour* to Mr. Secretary *Spring Rice*, dated Government House, Bahamas, November 20th, 1834.

I HAVE the honour to acknowledge the receipt of your Despatch of the 1st of September, in which you allude to three magistrates as having in all probability arrived here, and I would draw your attention to the fact that although three were promised, only two special justices have arrived.

I rejoice to state that our community is perfectly quiet; that the punishments, under the new system, are few in number, and although in general slight, yet appear sufficient to ensure the attention of the negroes, and that in the Returns for the past month from the special justices, I find, in two districts, the Returns *nil*. In the others, very few lashes have been inflicted, a few hours' confinement in the stocks, or of labour on the Saturday, being all which the magistrates ordered.

I am also glad to say that there have not been any complaints from masters or labourers against the conduct of the magistrates in any one instance.

In conclusion, Sir, I cannot refrain from acknowledging most gratefully the view which you have been pleased to take of my conduct during the anxious moments of the past summer.

No. 379.

— No. 379. —

EXTRACT of a DESPATCH from President *Hunter* to the Earl of *Aberdeen*, dated Government House, Bahamas, February 21st, 1835.

I AM happy to have it in my power to inform your Lordship of the continued tranquillity of the Bahamas, under the new system. To the judicious measures adopted by the late Lieutenant-Governor during the months immediately following the great change in the condition of the labouring population we are mainly indebted for the tranquillity we enjoy; and when we reflect upon the inadequacy of the number of special justices furnished by the mother country to carry into effect the intentions of Parliament, the peaceable demeanour of the apprenticed labourers in the more distant Islets, where they are under no kind of surveillance, cannot fail to be a matter of heartfelt gratification to all parties.

No. 380.

— No. 380. —

EXTRACT of a DESPATCH from Lieutenant-Governor *Colebrooke* to the Earl of *Aberdeen*, dated Government House, Bahamas, 5th March 1835.

I AM happy in being able to report to your Lordship that tranquillity prevails throughout these Islands, and the inhabitants appear to look forward to an improvement in their circumstances which will contribute to the general contentment.

—No. 381.—

No. 381.

COPY of a DESPATCH from Lieutenant-Governor *Colebrooke* to the Earl of *Aberdeen*.

My Lord, Government House, Bahamas, 2 June 1835.

I HAVE the honour to transmit to your Lordship, to be laid before His Majesty in Council, an Act which has been passed to amend the auxiliary Act for the Abolition of Slavery, and which has remedied the defect noticed in your Lordship's Despatch, by making provision for the hearing of objections relative to their classification by or on behalf of the apprentices.

Act printed in the Appendix (B.) No. 72.

I have, &c.

(signed) *Wm M. G. Colebrooke.*

—No. 382.—

No. 382.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor *Colebrooke*.

Sir, Downing-street, 1 August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult. leaving to their operation certain clauses of an Act passed by the Legislature of the Bahama Islands, in the month of February 1834, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves,'" and disallowing the other clauses thereof.

Order in Council, 31 July 1835, printed in the Appendix (B.) No. 73.

I am, &c.

(signed) *Glenelg.*

—No. 383.—

No. 383.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor *Colebrooke*.

Sir, Downing-street, 2 August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated 31st ultimo, leaving to its operation an Act passed by the Legislature of the Bahama Islands, in the month of September 1834, intituled,—

"An Act to amend an Act of the General Assembly of these Islands, intituled, 'An Act auxiliary to an Act of the Imperial Parliament, intituled, An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves.'"

I have, &c.

(signed) *Glenelg.*

—No. 384.—

No. 384.

COPY of a DESPATCH from Lord *Glenelg* to Lieutenant-Governor *Colebrooke*.

Sir, Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., declaring that adequate and satisfactory provision hath been made in the Colony of Bahamas, for giving effect to an Act of Parliament made in the 3d and 4th year of His present Majesty, for the Abolition of Slavery.

Order in Council, 31 July 1835, printed in the Appendix (B.) No. 17.

I have, &c.

(signed) *Glenelg.*

GRAND CAYMANAS.

GRAND CAYMANAS.

No. 385.

— No. 385. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Right Honourable *Thomas Spring Rice*, dated the King's House, St. Jago de la Vega, 12th August 1834.

THE very peculiar state of the Caymanas is in the anomalous position of being *without laws of any sort, without any form of government, without any person with any title to pre-eminence*; and which, though it willingly admits itself to be a dependency of Jamaica, is not so by any enactment, has given me some uneasiness. On intimation which I have by this packet received from Mr. Lefevre in a private letter, that he had been unable to bring the state of those Islands under your consideration, combined with a paragraph in Mr. Burge's letter to the Committee of Correspondence, wherein he states that nothing is to be done about them till he can hear in reply to that letter from this Island, has induced me to determine at once on sending there a stipendiary magistrate; and as in the present state of this Island, when its tranquillity, I think, in a great measure depends upon the exertions of these gentlemen, I could not spare one, I have appointed Dr. Hulme, a Nottinghamshire gentleman, who came out here as a physician, but who, finding the ground completely occupied, was about to return home again. He will go there in a vessel of war on Monday next. I have mentioned to him that I could in no way lead him to imagine that he would be confirmed; but that I would recommend that he should be continued. In the mean time I have directed that his pay should be issued by the Commissary General. There is no physician resident in the Island, and the place is of so wretched a description, inhabited principally by turtle catchers, that it would be difficult to induce any person to reside there on the present magisterial allowance, without the hope of making something in some other way. He hopes, as a physician, so to do; on the other hand, it would be difficult to induce a physician to live there without some other consideration. I hope, therefore, that you will be pleased to confirm the appointment. I deemed it impossible to leave the apprentices in that Island without some protection. I have also applied to Sir Amos Norcott to send a subaltern and 20 men of the West India regiment there, in order to support the magistrate in the execution of the laws. Mr. Lefevre, in his letter to me, written I fancy just as you were on the point of assuming office, directing me to use a large discretion, has induced me to take these steps. I trust that you will not think that I have exceeded the due limits of that discretion in what I have done.

No. 386.

— No. 386. —

COPY of a DESPATCH from the Marquess of *Sligo* to the Right Honourable *Thomas Spring Rice.*

Sir, King's House, Jamaica, 3d Nov. 1834.

I HAVE the honour to acknowledge the receipt of your Despatch, relative to the apprentices of the Caymanas, wherein you express considerable doubts whether they are not free subjects, and in consequence of their non-registration, absolutely relieved from the apprenticeship. In reply, I have to say, that I trust the law may not be so interpreted eventually. In the first place, there having been no law in force in *that Island* to render registration necessary, it appears hard that a decree of the British Parliament should, without any fault of their own, deprive them of that very valuable property, the apprenticeship. Their valuation, though not registered, appears to me to place them in precisely the same situation as if they had been registered.

Besides the apparent injustice to the proprietors of these apprentices, it strikes me that much danger would arise to this and the other West India Islands from the discontent which would be occasioned when the negroes hear that their comrades at the Caymanas have become absolutely free; they would, I fear, consider that similar advantages had been conceded to them, and concealed from them by their proprietors. The consequences of such an idea becoming prevalent, I need not say, would be most extensively injurious. Should, however, the law be decisive on the point, and that the apprentices are free subjects, I will of course immediately recall Dr. Hulme from the Caymanas, and employ him in this Island, where he is much required.

There

GRAND CAYMANAS.

There is another case in this Island of a nature not precisely the same, but very similar. The Maroons are holders of many slaves, and have never registered them; but regular returns of their numbers, names, age and sex, have been sent in, as a matter of course, each session to the Assembly. The Board has directed the valuators to make a separate return of these individuals, detailing the peculiar circumstances of the case, in order that the matter may be considered by the Central Board at home.

With regard to the pensioners as serjeants of police, our experience here has shown us, that no persons are to be had here fit for those commissions, excepting old soldiers; the very good pay which they receive has induced several persons from the regiments quartered here, and entitled to their discharge, to apply for it and join the police. Where I have not been able to procure these persons, we are very badly off indeed for serjeants qualified to drill the men, or keep up any sort of discipline.

I have, &c.

(signed) *Sligo.*

— No. 387. — No. 387.

Copy of a DESPATCH from the Earl of *Aberdeen* to the Marquess of *Sligo.*

My Lord, Downing-street, 16th Feb. 1835.

I have the honour to acknowledge the receipt of your Despatch of the 3d Nov. last, respecting the apprentices in the Grand Caymanas.

The doubt which had been expressed by my predecessor, whether these negroes are not free subjects, and in consequence of their non-registration, relieved from the apprenticeship, involves considerations of such importance to the negroes themselves, as well as to their masters, who derive so valuable a property from the apprenticeship, that I felt it my duty to call for the opinion of the law officers of the Crown upon the question, Whether under the Slavery Abolition Act, the unregistered slaves in the Caymanas, as well as those belonging to the Maroons in the Island of Jamaica, whom you state to be in effect similarly circumstanced in regard to non-registry, could be lawfully employed as apprenticed labourers, from the 1st August last, or whether such bodies of slaves, or either of them, did on that day become entitled to the unqualified enjoyment of their personal freedom.

The report which has been received from the law officers of the Crown, has fully justified the view which was taken upon this subject by my predecessor. They are of opinion that the unregistered slaves, as well in the Grand Caymanas as in Jamaica, could not be lawfully treated as apprenticed labourers from the 1st August last, from which day they became absolutely manumitted.

In making this decision known to your Lordship, it is hardly necessary that I should advert to the course which will be necessary to adopt in consequence. It is a duty incumbent on His Majesty's Government to see the letter of the Abolition Act carried into full effect; and however inconveniently such a course may operate upon private interests, or those of the community, it is incumbent upon them, in a case of this nature, to adopt the law as it stands, without question or qualification. I am not insensible to the apparent injustice inflicted on the proprietors of the negroes by this construction of the law, nor of the injury they will sustain, by being deprived of the services of their apprentices. It may fairly be inferred, that the Act of the British Parliament did not intend that any distinction should be drawn between one slave owner and another, to the detriment of any party. But if from accidental circumstances there be cases which do not come within the scope and tenor of the enactment, His Majesty's Government have no power to interpose. It will be for Parliament itself to provide a remedy, and to decide how far those affected by the omission may be entitled to compensation for the loss unintentionally inflicted upon them.

It is no doubt a point which requires most serious deliberation in what manner this decision should be promulgated. I am not unmindful of the discontent which may be expected to arise amongst the apprentices when they find that there are those amongst them who enjoy at once unqualified freedom, whilst they are exposed to a temporary servitude, and how difficult it will be to convince them that this is a legal distinction, and not one of preference or partiality. But the present is one of those cases in which, with every desire to relieve the local government from responsibility, no specific instructions can be given for their guidance. I must, therefore, leave it to your Lordship's discretion to adopt the necessary measures for carrying this decision into effect; and I feel the greatest confidence that the course you will take will be that best calculated to prevent future embarrassment.

GRAND CAYMANAS.

In connexion with this subject, I have further to acquaint your Lordship, that upon the receipt of your Despatch, I caused a copy of it to be forwarded to the Commissioners of Compensation for their opinion, whether any claims against the compensation fund could be allowed in respect to the non-registered slaves at the Caymanas, or to the slaves in Jamaica, the property of Maroons, who are stated never to have been registered. I enclose, for your Lordship's information, a copy of the reply which has been received to this reference, from which it appears that the Commissioners (for reasons which are stated at length in their letter) consider the Caymanas as entitled to share in the compensation fund according to the interests of the respective owners in these Islands, and that in regard to the unregistered slaves in Jamaica belonging to Maroons, they are inclined to hold that the regular annual returns to the Assembly of these Maroons' slaves might be deemed, when properly authenticated, to satisfy the rule proposed by the Commissioners, that a certificate of registration should accompany the claim, and entitle the owners to compensation.

20th January 1835.

Your Lordship will observe, that the decision of the Commissioners is general, and is capable of reference to all slaves not illegally held in slavery.

I have, &c.

(signed) *Aberdeen.*

Enclosure in No. 387.

Enclosure in No. 387.

Office of Commissioners of Compensation, No. 25, Great George-street,
Sir, Westminster, 20th January 1835.

WE have the honour to acknowledge the receipt of your Letter, transmitting, by the direction of the Earl of Aberdeen, a copy of a Despatch from the Marquess of Sligo, relative to a question which has arisen, whether the negroes at the Caymanas are not free subjects, and in consequence of their non-registration, absolutely relieved from the apprenticeship; and requesting that we should give Lord Aberdeen our opinion whether any claims against the compensation fund can be allowed in respect to the unregistered slaves at the Caymanas, or to the slaves in Jamaica, the property of Maroons, who are stated by Lord Sligo never to have been registered.

With respect to the compensation for slaves at the Caymanas, we beg to state that the situation of those Islands, as dependencies of Jamaica, became a subject for the consideration of the Commissioners in the beginning of their proceedings; and in their letter of instructions (signed by all the then Commissioners), of the 4th November 1833, to the Assistant Commissioners of Jamaica, upon the first head of inquiry for making the inter-colonial apportionment of the compensation money, they were directed to appoint an agent to proceed from Jamaica to the Caymanas, under the authority of the Assistant Commissioners, to procure a return of the number of slaves belonging to or settled in those Islands, and to ascertain the value or price of slaves therein, for eight years ending on the 31st December 1830. With these Islands, although dependencies of Jamaica, there is little or no communication, from their distant situation to leeward of Jamaica; they are governed by their own usages and customs, and the laws of the Jamaica Legislature do not necessarily extend to them. Not being included in the Registry Acts of that Island, the owners were under no legal obligation, and had no opportunity of registering their slaves. As, however, under the last clause of the Abolition Act, Islands dependent upon Colonies, were to be deemed part thereof for the purposes of the Act, such a return was required by our letter of instructions of the 4th November 1833, as supplementary to the registration of the slaves in Jamaica. A very complete return has accordingly been made, containing a registry of the names, numbers, ages and ownership of all the slaves in the Caymanas, upon the oaths of the respective owners; and we have continued to consider the Caymanas, in all subsequent proceedings, in every respect as an appendage to Jamaica, and entitled to share in the compensation fund, according to the interests of the respective owners in those Islands.

With respect to the claim for compensation for unregistered slaves in Jamaica belonging to Maroons, we beg to state that we have as yet received no return or communication upon this subject from the Assistant Commissioners of Jamaica; and that the question is now for the first time proposed to us.

We think, however, that according to the liberal and manifest interpretation of the Abolition Act, it was intended to give the compensation for all the slaves, not illegally held in slavery. And although the Registry Act of Jamaica would oblige all holders of slaves within the Colony to register them under a penalty, yet it does not make the omission to register work a forfeiture of property. We should be inclined, therefore, to hold, that the regular annual returns to the Assembly of the slaves belonging to the Maroons, as mentioned by Lord Sligo, might be deemed, when properly authenticated, to satisfy the rule, proposed by the Commissioners, that a certificate of registration should accompany the claim, and entitle the owners to compensation.

We have, &c.

(signed) *James Lewis.*
Hastings Elwin.
Henry Frederick Stephenson.

R. W. Hay, Esq. &c. &c.
Colonial Office.

— No. 388. —

EXTRACT of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 27th April 1835.

I HAVE the honour to state for your information that I have deemed it expedient to postpone carrying into effect your orders with regard to the Caymanas apprentices, until this packet now in harbour should have arrived, and that as she has come in, it is my intention to proceed to sea on Wednesday evening, in the Forte frigate, for that purpose.

The Island of Grand Caymanas being very unhealthy in consequence of the marshes not being drained, and the incredible accumulation of vegetable matter, owing, I presume, to the fertility of the soil, I did not wish to leave any *white troops* quartered there. Indeed the want of barracks or any other species of accommodation there would have prevented me from so doing; I therefore was anxious to post 100 of the West India regiment there for about a month or six weeks, in order to support the laws. On consulting Major-General Sir Amos Norcott, he assented to my sending up to the Bahamas for these men, but at the same time added, that the numbers there were below the usual complement. Upon turning this in my mind, and the expense it would occasion to bring so many men so far, and then send them back again, I determined on adopting a different course, and one which I trust you will approve of. I applied to Commodore Pell, of whose readiness to meet my wishes in all possible ways and to afford me every assistance in his power it is impossible for me to speak in too high terms, to let me embark 25 men and a captain of the 84th on board the Serpent sloop of war, and to direct her to remain at that Island for a month or six weeks, in order to see that matters remained quiet between the two parties in the Island, the proprietors and the apprentices. He assented at once to my doing so, and the Serpent will accordingly accompany the Forte on her voyage. I propose to send her on, being a very fast sailer, to request that the custos, magistrates and principal inhabitants of the Island should come on board the Forte as soon as she shall have anchored at George Town, in order that I may communicate to them some important business. I propose to state the fact to them, that the law pronounces their apprentices to be absolutely free from all servitude. I have prepared a proclamation and an address to the people, copies of which I enclose herewith, which I will show to them, and will then act according to circumstances, as to making public the object of my mission to that Island. I propose to leave Dr. Thompson, and the black detachment already there, till the Serpent leaves the Island, and then to withdraw them all until I shall have heard your Lordship's decision as to the maintenance of a regular garrison there. I have calculated that Captain Pack, of the 84th, with his 25 men, the marines and small-arm men, which can be landed from the Serpent, and the 20 men of the black corps now stationed there, will amount to a force of 75 men, which will be quite sufficient to keep the peace there in case of any outbreak. There are 180 white militia in the Island, and in order to place them completely under the command of Captain Pack, I purpose to give him the commission of colonel in chief of the militia of the Grand Caymanas. I hope that all these arrangements will be attended with success, and will meet with your approbation; but I am bound to say that I am not at all easy at what may be the result. I trust that your Lordship will have represented the utter ruin which will be brought on these Caymanas proprietors, to Parliament, in order to procure them some additional compensation. What may be the effect on the apprentices of Jamaica, however, causes me much more consideration; every thing appears now to be going on so perfectly well, they are all so contented, the managers are relaxing down from their vexatious and teasing attacks upon the comforts of the negroes, finding from experience that they have not now the same sort of people to deal with that they had before, I fear much, least their minds should be unsettled by the setting free of these people, and of the Maroon apprentices. I fear that the loyalty of the Maroons may be shaken, by what, in their ignorance, they will attribute to a partiality against their colour. It is, however, my duty to obey the instructions I have received, and do the best I can to make them as little injurious to my government as possible. I cannot conclude this Despatch without adding how sensibly I feel the considerate confidence which has induced your Lordship to leave the details and manner of my carrying into effect your instructions so entirely at my own discretion. I trust that you will not have reason to think that confidence misplaced.

GRAND CAYMANAS.

Enclosures in No. 388.

Enclosures in No. 388.

Jamaica, ss. A PROCLAMATION.

By his Excellency the Most Noble *Howe Peter*, Marquess of *Sligo*, Knight of the most illustrious Order of Saint Patrick, and member of His Majesty's most Honourable Privy Councils in England and Ireland, Captain-general and Governor in Chief of His Majesty's Island of Jamaica, and the Territories thereon depending in America, Chancellor and Vice-Admiral of the same.

Whereas the situation of the inhabitants of the Grand Caymanas having engaged the particular attention of His Majesty's Government, more especially as to the effect the recent changes under the laws of the Imperial Parliament have upon the structure of society in those Islands belonging to Great Britain, were slavery formerly existed; and the opinion of the law officers of the Crown having been obtained; I have received His Majesty's commands forthwith to communicate the decision at which they have arrived upon the question.

The Slavery Abolition Act having declared that all persons of the age of six or upwards, who, on or before the first of August one thousand eight hundred and thirty-four, had been duly registered as slaves, should become and be apprenticed labourers, and such registration not having been adopted as respects the Islands of the Caymanas, previous to the passing thereof, such unregistered slaves have in consequence become entitled to the unqualified enjoyment of their personal freedom: And whereas it is incumbent on His Majesty's Government to see the letter of the Slavery Abolition Act carried into full effect, I do hereby, under the directions of His Majesty's Government, declare and make known, that all such unregistered slaves at the Islands of the Caymanas, have become absolutely manumitted, and can no longer be lawfully treated as apprenticed labourers.

Fully alive, however, to the inconvenience which the course I am commanded to pursue must entail upon the private interests or those of the community of this Island, and the apparent injustice inflicted on the proprietors of negroes by this construction of the law, owing to the injury which they will sustain in being deprived of the services of their apprentices, still His Majesty's Government have no power to interpose, and it will be for Parliament itself to provide a remedy, and to decide how far those affected by the omission may be entitled to compensation for the loss unintentionally inflicted upon them. On this subject a most earnest representation will be made to the King. And I have the satisfaction in the mean time to make known that the Commissioners for Compensation in England consider the Caymanas as an appendage to Jamaica, and entitled to share in the compensation fund, according to the interests of the respective owners in those Islands.

Given under my hand and seal at arms, at Saint Jago de la Vega, the day of in the fifth year of His Majesty's reign, annoque Domini 1835.

By His Excellency's command.

TO THE INHABITANTS OF THE GRAND CAYMANAS.

The Proclamation which I have this day made will have informed you of the state of the law with respect to this Island. To you who have heretofore been slave owners, do I at first address myself. That there is an apparent hardship in the case, as far as your not having the same advantage as to the service as apprentices of your former slaves, I freely admit; I also admit that the non-registration of these slaves was no culpable neglect of your own, as the law did not prescribe the necessity of your so doing; still however the undoubted construction of the Abolition Act is, that all unregistered slaves shall become absolutely and unconditionally free, and that you have no further claim upon those who were your slaves, for any services as apprentices. It will remain, therefore, for you to submit with decorum and patience to the law as it stands, and make an energetic but humble representation of the hardship of your being placed in a worse situation than other slave owners, in the shape of petitions to the two Houses of Parliament. That they will be most attentively considered, I am certain; and though it is impossible for me to do more than form my own idea of what their decision may be, I do feel assured that they will in this instance act with their accustomed regard to the rights of individuals. Should they provide His Majesty, my most gracious Master, with the necessary means, I can safely assure you that he will most favourably consider your claims, dependent as your Island is on Jamaica, which he has been pleased always to connect with his earliest recollections and most partial consideration. Should you intrust these petitions to my care, I can promise you all the support, private and public, that my position or influence can command; should you otherwise dispose of them, you will be equally certain of my ardent exertions in your behalf.

You who have been slaves and lately acting as apprentices, are by this decision made absolutely and unconditionally free; I trust you will show your gratitude to that nation which has made such great personal and pecuniary sacrifices to ensure your freedom, by your loyalty to your common Monarch, and by the willing and anxious obedience you will pay to the laws of the land. New duties devolve upon you with the new position you now occupy; and I hope that by the steadiness of your conduct, and your peaceable demeanour, you will prove that this greatest of all earthly boons has not been unworthily bestowed upon you; you must now entirely depend upon your own industry for your support. You must recollect that you have now no person to feed you, no person to clothe you, no person to give you medical assistance if you are ill. You must depend upon your own exertions for all these things; you have no houses or grounds of your own; those you have heretofore occupied

occupied must now be given up to their owners, your former masters, whose property they are; all belong to him excepting your furniture, clothes and the crops you have now in the ground; these you have a right to remove to where you may please to go, if you mean to do so; but I trust that a sense of what is so decidedly your own interests will induce you to offer to your former masters such equivalent, either in labour or money, as will induce him to leave you in the quiet occupation of your grounds and homes. Though he who was your master is no longer so, recollect of what service he may be to you. Do not imagine that because you are now free you are independent of one another; no class of the community can be independent of the other. All experience has shown how one hangs on the other. Those of you who have been well treated, recollect that it is now in your power to show your gratitude for past kindnesses; those who think that your masters have occasionally felt harshly towards you, recollect that probably you gave great provocation, and show that if they have been in the wrong, that will not now justify your acting improperly. I trust that on my next visit to this Island, I shall hear that your improved habits of industry, your quiet demeanour, and your increased and increasing wealth will show your obedience to the laws, and that you deserve this great benefit which you now receive.

— No. 389. —

No. 389.

Copy of a DESPATCH from Lord *Glenelg* to the Marquess of *Sligo*.

My Lord, Colonial Office, Downing-street, 15 June 1835.

I have received your Lordship's Despatch, dated the 27th April last, reporting the proceedings which you intended to adopt, and covering copies of the proclamation and address which you proposed to issue upon announcing to the inhabitants of the Grand Caymanas the immediate and entire liberation of the emancipated slaves of that Island from the duty of labouring as apprentices under the Slavery Abolition Act.

Your Lordship's arrangements for preventing, or, if necessary, repressing any breach of the public peace, appear to me entirely judicious and unexceptionable. I also approve of the proclamation and address. I must, however, qualify this statement by the remark, that if the people of the Caymanas shall be encouraged by your Lordship's language to anticipate any further Parliamentary grant as a compensation for their losses, such hopes will almost inevitably issue in disappointment. It would be vain to expect that any further charge will be undertaken by the House of Commons on this account. It would not, perhaps, be difficult to justify the distinction which has been drawn between the compensation made to the owners of registered and unregistered slaves; but I am not aware that any advantage could be expected from engaging at present in that discussion.

I trust that your Lordship's misgivings as to the excitement which will be produced in the minds of the inhabitants of the Caymanas, will not be verified; for I am well convinced, that on your own part nothing will be wanting to avert or to remedy such evils which can be effected by activity and an enlightened zeal for the welfare of all classes of His Majesty's subjects who live under your Lordship's government.

I have, &c.

(signed) *Glenelg*.

— No. 390. —

No. 390.

Extract of a DESPATCH from the Marquess of *Sligo* to the Earl of *Aberdeen*, dated Highgate, Jamaica, 14th May 1835.

I have the honour to state for your information, in reference to my Despatch announcing my intentions, that on Thursday morning the 30th April, I sailed from Port Royal for the Grand Caymanas, in His Majesty's ship Forte, Commodore Pell, accompanied by His Majesty's sloop Serpent, Commander Sweny, with Captain Pack, Lieutenant Hodgson, and 25 of the 84th regiment on board.

The Serpent being considered the fastest vessel on the station, I requested Captain Sweny to make the best of his way to our destination, to warn all the magistrates and principal inhabitants to meet me on our arrival in George Town, in order that I might make to them a particular communication. My object in so doing was to consult them, and find out their feelings as to my present most unpleasant duty, and then to make arrangements for as speedy a return to Jamaica as might be possible, in order that I should be on the spot, prepared for any

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consequences which might arise on the news of what had taken place at the Caymanas reaching the apprentices on that Island. I arrived at George Town about three o'clock on the 2d May, and almost immediately Mr. Drayton, the custos, Dr. Thompson, the special justice, Lieutenant Williams, commanding the detachment of the 2d West India regiment stationed there, and about 25 of the principal inhabitants, came off. Having received them all in the Forte's cabin, I opened to them the object of my most painful mission. I need not say how thunderstruck they were when they heard the announcement I made to them; but I must add, that I did not conceive it possible that such a severe visitation could have been received in so patient and decorous a manner. They inquired whether any memorial could effect a postponement of the threatened evil. I then informed them, that I had long since received from the late Government a notification of this view of the subject having been entertained by them, and that I had remonstrated in the strongest terms, but that after long consideration and much consultation with the law officers of the Crown, the British Government had found that no choice was left them, and that I was ordered in consequence to see the law strictly and accurately carried into effect. I then continued to inform them, that I had come down for that purpose, and to express to them the deep sympathy I felt for them, and my readiness to forward for them to the Government any representation which they should consider might be of service to them, and support it with the best influence, public or private, which I could command. At first they appeared anxious for some delay, in order to make preparations for the change, but before I announced to them that this was impossible, I succeeded in persuading them that it was *not desirable for themselves*. They all agreed that I should land the following morning at seven o'clock, and make public the proclamation. I then dismissed them, praying that, as accommodation was difficult to be had in the Island away from their own homes, those who lived at a distance should not think of waiting for the morning, but that I should request those who were resident at George Town to meet me at that hour, as the occasion was most solemn. They at once replied, that as I had done them the honour of coming down from Jamaica to make the communication easier to them, they thought the least they could do would be to pay me the compliment of attending me. I explained to them all the arrangements I had made with respect to the Serpent remaining there with her troops on board, and that Commodore Pell had kindly promised to relieve her with another vessel at the conclusion of a month, in case the state of the Island should be at that time such as to make it desirable. They declared that it added much to their gratification to see so much consideration paid to them, but that they felt confident there could be no disturbance and no annoyance. I pointed out to them the necessity of my reaching Jamaica before the news of what occurred there should reach it, to which they acceded.

On the following morning, the 3d May, I landed, as arranged, at seven o'clock, under a salute, and was met by almost all the gentlemen I had seen the day before, and some others in addition. Captain Pack read the proclamation, and I then read my written advice to them, and gave copies of both to be stuck up in the most conspicuous parts of the Island, and explained to the people by Captain Pack and Dr. Thompson. Besides that address, I made to the assembled negroes some remarks which I considered advisable as to their liability to taxation, they having no longer any right to any houses or grounds *given to them by their masters*, and many matters which I considered it expedient that they should be made aware of. One of them stepped forward, and declared the change could be no change to him, as he would remain all his life with his master, who had always behaved so well to him. The rest of the apprentices did not seem to have any feeling on the occasion, or to know the extent of the blessing they were then receiving. I was then accompanied to the water-side by the gentlemen, and the custos, who just as I was on the point of embarkation addressed me in the name of the Island, humbly thanking me for the honour I had paid them in visiting them twice, an honour that had never before been conferred on them. They then saluted me from their Island battery, as I was rowing off to the Forte. We immediately made sail for Jamaica, which, owing to calms and contrary winds, we did not reach till the 13th of May.

GRAND CAYMANAS.

No. 391.

— No. 391. —

EXTRACT of a DESPATCH from Lord *Glenelg* to the Marquess of *Sligo*, dated Downing-street, 15th July 1835.

I HAVE received and laid before The King your Lordship's Despatch of the 14th of May last, reporting the result of the measures you had adopted for the announcement of unconditional and immediate freedom to the negroes at the Caymanas.

I am commanded by His Majesty to signify to you the satisfaction he has felt at the happy termination of this important business, and His Majesty's sense of the prudence with which your arrangements have been made, and of the discretion and zeal with which they have been carried into effect.

BERMUDA.

BERMUDA.

No. 392.

— No. 392. —

COPY of a DESPATCH from Governor Sir *Stephen R. Chapman* to Mr. Secretary *Stanley*.

Sir, The Bermudas, February 1834.

EVERY attention has been paid to your commands, as signified in your circular Despatches of the 5th September and 19th October 1833, on the subject of the Abolition of Slavery; and although it did not appear to me advisable to convene the Legislature of this Colony, until I should receive the promised draft of an Order in Council, as stated in the last of the above-mentioned letters, yet every preparation was made to ascertain the general disposition of the inhabitants at large, in the expectation of its early arrival.

Vide Papers printed by Parl. 15 April 1835, Part I. No. 177, pages 8 & 11.

The enclosed copy of the Royal Gazette extra, of this Colony, contains a copy of my opening speech to the Legislature on the 9th ultimo; I have also the honour to forward copies of the addresses to me from both Houses on the above-mentioned occasion; and as I deemed it important to adhere as much as possible to the phraseology and spirit of your Despatches, as relating to this Colony, I am not without hopes, that the course I have pursued will be satisfactory to you.

10 January 1834.

13 January 1834.

An Act has been passed abolishing Slavery in the Bermudas on the 1st August next, and there will be time, I trust, for my receiving any further commands from you thereon which may be deemed necessary. I am not, however, without an opinion that a little more time would have been preferable; but the majority of the inhabitants in favour of unconditional emancipation at that early period was so overwhelming, and the unanimity in the Assembly so entire, that the Legislature have only acted in unison with the decidedly expressed wishes of the country at large, in adopting this measure, and the Act has accordingly passed dispensing altogether with the system of apprenticeship.

The period until the 1st August is certainly very short, but I have impressed on the minds of many of the influential inhabitants the necessity of an early consideration of what may be deemed requisite towards the employment of those persons upon their coming into a state of freedom, as well as of those who may be thrown upon the public, either by their own determinatiou for change, or that of their owners to release themselves from an expense of maintaining such as are unwilling by their own industry, to support themselves, or who may be unable so to do. I do not, however, apprehend any difficulty which the Legislature, now engaged in the consideration of this matter, cannot meet.

I have the honour to enclose herewith attested copies of—

1. An Act for the Abolition of Slavery in these Islands in consideration of Compensation.

2. An Act to repeal the Laws exclusively applicable to free Black and free Coloured Persons, and extend to them the Laws applicable to White Persons, and to fix the Qualifications for Jurors, Voters, and the Electors and Candidates for certain Offices and Places of Trust.

Acts printed in the Appendix (B.) Nos. 74 & 75.

I have, &c.

(signed) *S. R. Chapman*, Governor, &c.

Enclosures in No. 392.

EXTRACTS from the ROYAL GAZETTE, extra Newspaper, dated Hamilton, Bermuda, 10th January 1834.

Friday noon.

YESTERDAY, the day appointed by proclamation for convening the Legislature, the members of His Majesty's Council and the members of the House of Assembly having met accordingly in this town (Hamilton), a message from the administrator of the Government was sent, requesting their attendance at Mount Langton; where having assembled, his Excellency Sir S. R. Chapman was pleased to address them as follows:—

Mr. President and Gentlemen of the Legislative Council,

Mr. Speaker and Gentlemen of the House of Assembly,

I have brought you together at an earlier period than usual, for the purpose of calling your attention to an Act of Parliament, of which I have directed a copy to be sent to each of your Houses, intituled, "An Act for the Abolition of Slavery," dated 28th August last.

Though anxious as I have been to enable you to commence the labours pointed out by this Act, I have deemed it expedient to delay convoking you, until I should receive from His Majesty's Government the draft of an Order in Council, as promised in a Despatch from the Secretary of State for the Colonies, dated 5th September last, to serve as a model, though not for strict imitation, in the discharge of the duties imposed upon you by the operation of this Act. In the mean time, the principal inhabitants, the public in general, and the coloured population of this Colony, have been prepared to receive this important communication, whereby the interests of all classes of society are so deeply involved.

You will observe that this Act does not interfere with the appropriate duties of the Legislature of this Colony beyond the strict limits of necessity, and that a due and anxious regard has been manifested to the local knowledge of the Legislature.

Every information and assistance in my power I can afford shall be given; and as His Majesty's instructions and those of His Government are couched in language most conciliatory, I feel that they will be responded to in the same spirit by yourselves and the community at large; for I am persuaded that but one feeling of kindness pervades the minds of the inhabitants in general towards the coloured people of this happy and peaceable Colony; the greater part of whom have been fostered under the immediate eye of their owners, and who, from having formed a part of their respective families, will receive that encouragement and protection they have been accustomed to experience, it will tend much to the mutual comfort and advantage of all classes, and will be in accordance with the spirit and kind feeling of His Majesty to all his subjects.

Mr. Speaker, and Gentlemen of the House of Assembly,

To you, gentlemen, will belong, in the first instance, a considerable degree of anxiety and labour in ascertaining and balancing the views and interests of both classes, in framing and enacting such laws as will best meet the momentous subject now before us, which, whilst they preserve the general tranquillity of the Colony, will embrace permanent benefit and comfort; for the laws to be good, must be reciprocally advantageous to all.

For such supplies as may be requisite, I rely with confidence upon your usual liberality.

Mr. President, and Gentlemen of the Legislative Council,

Mr. Speaker, and Gentlemen of the House of Assembly,

In again addressing you respectively, and together, I am most anxious to ensure your cordial co-operation with each other, and with myself, in endeavouring to meet the just expectations of His Majesty and the British Parliament. In using the words of the Secretary of State for the Colonies, as relates to the slaves, it is stated, "That His Majesty, the Parliament, and the nation of Great Britain, are entitled to expect and demand the most tranquil and orderly submission to such laws as shall be framed for their public government in a state of freedom."

All the instructions I have received, and particularly the plan which has been drawn up as a draft of an Order in Council, copies of which shall be sent to each House, manifest an anxious desire on the part of His Majesty's Government to assist you in your labours towards the accomplishment of this great change.

It is by no means intended to fetter the discretion which has been vested by Parliament in the Colonial Assembly, and as much is left to your local knowledge and practical experience, as well as intimate acquaintance with the peculiarities of your respective laws, as suited to the society for which they were framed, I have no doubt but that a corresponding spirit of anxiety will show itself in all classes to meet the change which you are called upon to facilitate and ultimately to bring together, with myself, into operation.

(signed) *S. R. C.*

Mount Langton, 9th January 1834.

BERMUDA.

The following Addresses from His Majesty's Council and the Honourable House of Assembly of Bermuda, in reply to his Excellency the Governor's Speech at the opening of the Session, 13th of January 1834:—

To his Excellency Major-General Sir *Stephen R. Chapman*, &c. &c. &c.

THE ADDRESS OF THE LEGISLATIVE COUNCIL OF BERMUDA.

May it please your Excellency,

WE, His Majesty's most dutiful and loyal subjects, the Legislative Council of Bermuda, have the honour to offer our thanks to your Excellency for the speech in which our attention has been directed to the highly important business on which your Excellency has been pleased to convene the Legislature of this Colony. Aware of the numerous and serious difficulties which attend any extensive alterations, even when they are of the most beneficial character, in the existing constitutions of society, and participating with many of our fellow subjects in His Majesty's Colonies, in an intense anxiety to promote the safe and equitable adjustment of the claims of all parties to be affected by the abolition of slavery, we cannot but gratefully appreciate the judicious and liberal spirit manifested by His Majesty's Government and the British Parliament, in the enactment of a law, which has at once provided to a considerable extent compensation for the proprietor and enfranchisement for the slave; nor can we be less sensible to that wise and just forbearance of the Imperial Parliament, which has left to the discretion and local knowledge of the Colonial Legislatures, the privilege of substituting for the Imperial Act, such laws as may, without infringing the general principle of emancipation, so modify its provisions with reference to particular exigencies, as to render them more safe and convenient.

When the documents to which your Excellency alludes shall be laid before our House, your Excellency may be assured that our best abilities and diligence will be devoted to the duty which is devolved upon us by the constitution of this Colony, and that we shall gladly co-operate with the other branches of the Legislature in completing those local enactments which, on mature deliberation, may appear to us most advantageous to the interests of this community, and most likely to satisfy the just expectation of the King, his Parliament and his people, on this momentous subject.

We respond with satisfaction to the opinion implied in your Excellency's speech, that our duties in this respect will be much facilitated by the paternal care and kindness with which the slaves of this Colony have generally been treated by their proprietors, and by the religious instruction which has, of late years especially, been extended to that class of this community, as a necessary preparation for a measure which will place them in a condition of greater moral responsibility and less personal restraint.

By order of the House,
(signed) *Robert Kennedy*, President.

To his Excellency Major-General Sir *Stephen Remnant Chapman*, &c. &c. &c.

THE ADDRESS OF THE HOUSE OF ASSEMBLY OF BERMUDA.

May it please your Excellency,

WE, His Majesty's most dutiful and loyal subjects, the General Assembly of Bermuda, have to thank your Excellency for your Excellency's speech on opening the present Session.

On a measure of such unprecedented importance in colonial politics as that to which your Excellency has called our attention, contemplating as it does most extensive changes in our civil relations, we shall, of course, deliberate with all the anxiety due to the magnitude of the question, but with a sincere desire to acquiesce in and promote the views of our most gracious Sovereign as far as local circumstances may require or permit; and we, therefore, fully appreciate the benefits likely to arise from that full development of those views which the documents promised to be laid before us by your Excellency are intended to afford.

Maintaining, as this Colony ever has done, the fairest and most unimpeachable character for general kindness to its coloured population, "the greater part of whom," as your Excellency remarks, "have been fostered under the immediate eye of their owners, and have formed a part of their respective families," we, nevertheless, attach much value to the official recognition of the fact in your Excellency's speech; and we confidently hope that this circumstance will ensure to all our proceedings on this momentous subject shortly to occupy our attention, the most favourable construction both from your Excellency and His Majesty's Government.

We shall be ready upon the present, as upon all former occasions, to grant such supplies as the exigencies of the public service may require, having due regard to the resources of our constituents, and to the possible effect on those resources, from the changes which may be produced on the condition of our society.

By order of the House,

11th January 1834. (signed) *John Noble Harvey*, Speaker.

BERMUDA.

No. 393.

— No. 393. —

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *S. R. Chapman.*

Sir, Downing-street, 24 June 1834.

I HAVE received your Despatch, dated in the month of February 1834, containing the gratifying intelligence that the Legislature of Bermuda has passed an Act for abolishing Slavery from the 1st of August next, and I have the honour to acquaint you that the course which you pursued upon the receipt of my predecessor's several circular Despatches on this important subject appears to me perfectly satisfactory.

The Acts which are inclosed in your present Despatch are intituled respectively as follows:—

"An Act for the Abolition of Slavery in these Islands, in consideration of Compensation;" and

"An Act to repeal the Laws exclusively applicable to the free Black and free Coloured Persons, and extend to them the Laws applicable to White Persons; and to fix the Qualification for Jurors, Voters and the Electors and Candidates for certain Offices and Places of Trust."

The first of these Acts, which entirely abolishes Slavery from the 1st of August next, and dispenses altogether with the system of apprenticeship, is, I think, free from all objection, either of a legal nature or on grounds of discretion and sound policy.

The second Act relieves the free coloured population of the Bermuda Islands from every legal disability to which the white population are not subject, and thus far it is the necessary sequel or adjunct of the first Act.

But the Legislature have in this Act proceeded to raise very considerably the qualifications of Members of the House of Assembly, of Mayors, Aldermen and Common Councilmen, of Vestrymen, Churchwardens and Constables, and of the Electors by whom all those different functionaries are to be chosen. In some cases these qualifications are more than doubled. Before I can form a correct estimate of these provisions, it is necessary that I should possess more information than I can gather from your present Despatch. I should wish especially to be informed, as far as the means at your disposal will admit, what have been the actual numbers of the several constituent and elective bodies under the system hitherto in force, to what extent and in what particular directions those numbers will be diminished or increased by the operation of the Statute now under consideration; how far it is probable that under its provisions any of the free coloured population will, within any assignable period, actually participate in the privileges it professes to give them, or whether there is reason to conclude that the existing generation will find those privileges to have been nominal only. On all these points, and on any others which may occur to you as useful, I must request such information and remarks as you may be able to supply to me for the guidance of my judgment on the very important law which you have transmitted to me, in order that it may receive the decision of His Majesty in Council.

I have, &c.

(signed) *T. Spring Rice.*

No. 394.

— No. 394. —

COPY of a DESPATCH from Governor Sir *S. R. Chapman* to Mr. Secretary *Spring Rice.*

Sir, The Bermudas, 8th October 1834.

I HAVE the honour to forward to you a copy of the Bermuda Gazette, of the 16th ultimo, containing a copy of my Speech, on the occasion of the prorogation of the Legislative Assemblies at this place.

It may not be irrelevant to observe to you, that the feeling of the two Houses was strongly marked at the moment, the favourable sentiments of the community at large strongly manifested, and that the Executive stands high in public estimation in consequence of the emancipation of Slavery having taken place here at the earliest possible period.

I have, &c.

(signed) *S. R. Chapman.*

Enclosure in No. 394.

Mr. President, and Gentlemen of the Legislative Council,

Mr. Speaker, and Gentlemen of the House of Assembly,

As your labours for the present Session have been brought to a close, I am happy in being enabled to release you from further attendance on your legislative duties. Public service of no ordinary character called you early into session, and the same cause has made it a protracted one; but your zeal in meeting the views of His Majesty's Government, have led you not to consider your time as a sacrifice, although your private interests have been affected thereby.

Important have been your labours during this Session, and eminently beneficial the results to a large portion of the community at least. You have exceeded even the most sanguine expectations of His Majesty, and the Parliament of Great Britain, in the unrestricted freedom which you have granted to the coloured population of this happy Colony; and although we were the last to receive the Despatches on this subject from His Majesty's Government, and the Legislature was in consequence convened at a later period than it otherwise would have been, yet you have the proud satisfaction of reflecting, and history will record, that in passing a law for conferring this great boon, you have been second to none. Happy am I in finding myself associated with yourselves, and I may say, with the public in general, in feeling, determination and action on this memorable occasion.

The many laws necessarily required by the change in our social condition, or suggested by a prudential regard to the possible consequences of an untried experiment, have rendered the present a most laborious as well as important Session; and although, in the various enactments contained in so large an addition to our civil and criminal code, there may be found upon experience, some matters calling for revision and improvement, their general spirit and tendency will, I am well assured, be found in perfect unison with that which has dictated the leading measure of the Session.

As relates to the legislative precautions which have been adopted by way of police regulation, the good order, the decorum, the exemplary observance of the memorable first of August, as a day of thanksgiving to the Author of all good, and the more than ordinary tranquillity which has reigned since, sufficiently evince that in the moderate extent of those precautions, you have formed a correct estimate of the character of the coloured population, while they also afford a flattering presage of their future good conduct in their new situation. On them I would earnestly inculcate, nay, in His Majesty's name, enjoin the most scrupulous observance of the laws, respect to the constituted authorities, and a deferential regard to their superiors, as the most suitable return for the civil privileges to which they have been admitted, and as evidencing in a manner the most satisfactory, that they are qualified to enjoy them.

In adverting to the complete success of this great measure, achieved without a dissentient voice, for the most perfect harmony and cordiality have pervaded your councils, I cannot but felicitate you on the proud station in which you stand.

As His Majesty's representative, forming a part of the Legislature of the Colony, and identified with you, as I feel myself in every matter touching the public interest and happiness, I cannot deny to myself the right of participating in this proud reflection.

In issuing a Proclamation, with the concurrence of the Council, which I thought it advisable to promulgate, setting apart the day on which freedom dawned on so large a number of our fellow subjects, as a day of thanksgiving to the Almighty, I acted in accordance, I have reason to believe, with the sentiments of the entire population of this Colony; and most happy was I to see and to learn, that the House of Prayer was indeed one of Thanksgiving.

To the clergy we are highly indebted for the doctrines inculcated on the occasion, so calculated to excite in the minds of the coloured population that tone and tranquil line of conduct, not on that day alone, but since; for all seemed to feel the solemn occasion which brought them together, and solemn and quiet was their demeanor throughout.

I cannot dismiss you, gentlemen, without recommending that your watchful attention be given to those whom you have thus benefited: and in the event of your foreseeing the probability of distress taking place, either as respects the white or the coloured population, arising from this event, that you will meet with kindness and consideration the wants of those requiring your support; and I can assure you, that I shall not be found wanting in aiding and assisting your endeavours, whether publicly or by private means. And as I have been working with you, and for you, for a period of nearly three years, I trust I shall have credit for an earnest wish to promote the prosperity and comfort of the Colony which His Majesty has been graciously pleased to entrust to my charge.

I must not omit to call your serious attention, when you retire to your domestic occupations, to the consideration of what may be required for the general good of the community at large; and although much may be done by giving employment to the labouring class, yet the enforcement of your police regulations may become necessary to prevent the ill-disposed, of which there will always be some in every community, from running counter to the laws, and for bringing them to punishment upon the infringement of them.

I will not further trespass upon your attention, gentlemen, than by merely adverting to the communication from His Majesty's Secretary of State, of his being gratified by the receipt of the intelligence that Bermuda had passed an Act abolishing slavery from the 1st day of August;

BERMUDA.

August: that the course I had pursued upon the receipt of his predecessor's circular despatches on this important subject were perfectly satisfactory, and that the Act which entirely abolished slavery from that date, dispensing altogether with the system of apprenticeship, is, in the view of His Majesty's Government, free from all objection, either of a legal nature, or on grounds of discretion and sound policy.

Mount Langton, 9th September 1834. *S. R. C.*

His Excellency was then pleased to prorogue the Colonial Parliament to Wednesday, the 8th of October next.

No. 395.

— No. 395. —

Copy of a DESPATCH from Governor Sir *S. R. Chapman* to Mr. Secretary *Spring Rice.*

Sir, The Bermudas, 7th October 1834.

IN reply to the inquiries contained in your Despatch of the 24th June ult., respecting the operation of the Act passed during the late session, for repealing such laws as apply exclusively to black and coloured persons, and altering the amount of qualification for the exercise of certain elective and representative franchises, I have now the honour to transmit the results of my inquiries under their respective heads:—

1st.—The amount in number of electors for a member of the Assembly, immediately previous to the first of last August, when the above Act went into operation, was 654 for the whole Colony.

2d.—The present amount of white electors as above is 615; thus showing a diminution of 39 in the number of white electors for a member of the Assembly under the new law, which increases the pecuniary amount of qualification.

3d.—The number of black and coloured persons at present known to be qualified to vote at an election for a member of the Assembly, under the new law, is 31.

4th.—The number of black and coloured persons at present known to be qualified for a seat in the House of Assembly, is three.

5th.—The number of persons qualified to vote at an election of a vestryman or churchwarden previous to the 1st of August, was 746.

6th.—The present number of white electors as above is 612, showing a diminution of 134 in the number of white electors under the new law.

7th.—The number of black and coloured persons at present known to be qualified to vote as above, under the new law, is 33.

8th.—The number of persons qualified to serve as jurors previous to the 1st of August, was 513.

9th.—The present number of white persons qualified to serve as jurors, is 447; showing a diminution of 66 in the number of white persons qualified to serve as jurors under the new law.

10th.—The number of black and coloured persons at present known to be qualified to serve as jurors, is 18.

11th.—The number of black and coloured persons at present known to be qualified to serve as vestrymen or churchwarden is 17.

12th.—The number of persons qualified to vote at an election for a mayor, alderman or common councilman for the two corporate towns of Hamilton and St. George was, previous to the 1st of August, 145.

13th.—The present number of white electors as above, is 137; showing a diminution of eight white electors under the new law.

14th.—The number of black and coloured persons at present known to be qualified to vote as above, under the new law, is 12.

15th.—The number of black and coloured persons at present known to be qualified to be elected mayor, alderman or common-councilman for the two corporate towns, is two.

From the foregoing returns, it will appear, that the white constituencies are all reduced in number under the operation of the new law. With respect to the black and coloured population, now for the first time admitted to the elective and representative franchises, it is to be remarked, that as that description of persons has

has heretofore been excluded from the enjoyment of those franchises, it has never been customary to rate in the parish books any freehold property that such persons might possess, and the present returns, as respects that class of persons, being framed merely from the personal knowledge of the local authorities in the respective parishes, it is not improbable that their numbers will be found considerably larger when the freeholds possessed by those persons shall be valued, for the purpose of being assessed to the parish rates, in common with those of the whites, at next Easter.

The value of the freehold being now the only qualification required by law for any of the constituent bodies, there will, of course, be no impediment whatever to black and coloured freeholders exercising the elective franchise in any of the cases above referred to (if duly qualified as to the amount of their respective freeholds), in common with the white constituency.

With respect to the selection of jurors, the law which requires a juror to be a literate person remaining unchanged, this qualification is consequently necessary for a juror, in addition to the qualification in property which is now required for the exercise of the elective franchise in any of the capacities before mentioned.

I have, &c.

(signed) *S. R. Chapman*, Governor, &c.

— No. 396. —

No. 396.

Copy of a DESPATCH from the Earl of *Aberdeen* to Governor Sir *S. R. Chapman.*

Sir, Downing-street, 25th February 1835.

I HAVE had under my consideration your Despatch of the 7th October, respecting the probable operation of the Act passed during the last session of the Legislature of Bermuda, for repealing such laws as apply exclusively to black and coloured persons; and I have the pleasure to acquaint you, that this Act, in common with all others passed by the Legislature of Bermuda in their last session, has been left to its operation by His Majesty in Council.

I have, &c.

(signed) *Aberdeen.*

— No. 397. —

No. 397.

Copy of a DESPATCH from Lord *Glenelg* to the Acting Governor of the Bermuda Islands.

Sir, Downing-street, 2d August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., confirming the Act passed by the Legislature of the Bermuda Islands in the month of February 1834, for the Abolition of Slavery in that Colony, and reciting and setting forth at length, in pursuance of the 23d section of the British Act, the several provisions and enactments of that Act which have been superseded by the Act of the Legislature of Bermuda.

Printed in the Appendix (B.) No. 76.

I have, &c.

(signed) *Glenelg.*

— No. 398. —

No. 398.

Copy of a DESPATCH from Lord *Glenelg* to Governor Sir *S. R. Chapman.*

Sir, Downing-street, 3d August 1835.

I HAVE the honour to transmit to you herewith an Order of His Majesty in Council, dated the 31st ult., declaring, that adequate and satisfactory provision hath been made in the Colony of Bermuda, for giving effect to an Act of Parliament made in the 3d & 4th year of His present Majesty for the Abolition of Slavery.

Printed in the App. of Part 2, (B.), No. 17.

I have, &c.

(signed) *Glenelg.*

CAPE OF GOOD HOPE.

CAPE OF GOOD HOPE.

No. 399.

—No. 399.—

EXTRACT of a DESPATCH from Lieut.-Colonel *Wade* to Mr. Secretary *Stanley*, dated Government House, Cape Town, 6th December 1833.

Vide Circular, July 1834; printed in Part I. Pap. Paper. No. 177.

I HAVE the honour to acknowledge the receipt of your Despatch of the 18th July last, enclosing a copy of a series of resolutions, by which the House of Commons and the House of Lords have declared the expediency of adopting immediate and effectual measures for the Abolition of Slavery, &c. &c.; also a copy of the Bill, which, in pursuance of those resolutions, His Majesty's Government have brought into the House of Commons.

The resolutions were published here in the colonial newspapers as far back as the month of July last, and, as no doubt Sir Lowry Cole will have already apprised you, excited no open expression of discontent whatever. Subsequently, on the 4th September, there was also published a letter from Mr. Borradaile, of London, to the Committee of the Commercial Body of Cape Town, communicating the result of an interview the Cape Trade Society had with you relating to the measure in question; and the general impression produced by that document was, that the interests of the slave proprietors of this Colony would be favourably considered by His Majesty's Government.

At the moment I received your Despatch, I was setting out on an excursion through the Cape and neighbouring districts of Stellenbosch, Swellendam, and Worcester, containing, with Cape Town, a large proportion of the slave population; and as I subsequently required from the several civil commissioners, resident magistrates, and protectors of slaves, confidential reports of the state of feeling observable among both proprietors and slaves, as arising out of the proposed measure, I was unwilling to hazard a reply until I was in possession of the most ample information I could collect on the important subject it referred to.

From the reports of the public functionaries, the communications I have received from many other individuals who have the best opportunities of ascertaining the state of the public mind, and from my own personal observations, I feel that I may venture to assure you, that there is no cause to apprehend, on the part of the slave proprietors in this Colony, any openly avowed hostility to the Bill, still less any thing partaking of systematic resistance to it, or that the measure will be here productive of any collision between the different classes of society. . . . . .

Before I proceed further with this part of the subject, I will state, that from the slaves themselves, I am satisfied there is nothing whatever to apprehend. It were needless on this occasion to recapitulate the great variety of circumstances that have, at all times, combined to deprive slavery, at the Cape of Good Hope, of many of its most odious features, and to impress upon it an essentially different character from what it bears elsewhere, and which have, at the same time, been greatly instrumental in preserving the imaginations of the slaves from those false impressions, which have so frequently been productive of the most fatal consequences in the West Indies. I will advert therefore only to a few of these, as forming, in some part, the ground of the opinion I have ventured to expresss.

1st. Slavery exists here, it is true; but as I believe has been universally admitted, in an exceedingly mitigated form.

2dly. The proportion which the slave population bears to the free, is, as compared with that proportion in other colonies, here reversed.

3dly. There are not here, and never have been, any *plantation slaves*, or slaves working in *gangs* under the *whip;* nor, except during a very short period of the year, viz. in the wine-making season, is there any *manufacturing labour*, requiring from the slave extraordinary exertion beyond his usual working hours.

4thly. A large proportion of the whole population is widely separated and dispersed over an immense extent of country.

5thly. There is not one proprietor of slaves in the Colony who possesses 100; but four who possess between 70 and 90; and 16 who have from 40 to 60; and besides these, there are very few indeed who have even 30; added to which, almost every one of the individuals above alluded to as possessing upwards of 40 slaves, and many of the smaller proprietors also, have either cattle or corn farms

exclusive

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exclusive of, and commonly at a considerable distance from the estates on which they themselves reside; and the slaves of these persons are in general distributed amongst their farms.

Without trespassing further on your time, the above facts (and there are a multiplicity of others which have all had the same tendency) will suffice to show that, in this Colony, concert among the slaves, for any purpose whatever, was and is impracticable; and to explain why it is that the discussion of the slave question here has never, at any period, excited exaggerated hopes on the part of those most interested in its final issue. In fact, complete unfettered emancipation has never once been dreamt of by the most civilized slave in the Settlement.

The totally uneducated and almost barbarous beings, who are permanently fixed on the far distant and isolated farms of their owners in the interior, and who rarely mix with others than their fellow slaves, never with any less ignorant than themselves, are indeed aware, that during the last few years, laws have been made with a view to the amelioration of their condition, (and they have extensively availed themselves of their right to appeal to the magistrate against the undue exercise, or what they may deem such, of domestic authority); but for any measure, pretending to do more than regulate the amount of their food and clothing, and prescribe the periods of their daily labour, and the quantum of punishment to be inflicted by their master, they are, I am convinced, unsolicitous, and certainly unprepared.

In the more populous parts of the Colony the case is different; and in the districts nearest to Cape Town, an expectation has been awakened among the slaves that they are about to receive some more important, but to them as yet undefined benefit, than has hitherto been conferred upon them.

At Cape Town, again, the slaves are, of course, considerably better educated and more advanced in civilization than in the districts; but not even here have their most anxious hopes ever led them to anticipate a measure, having for its object their immediate emancipation from slavery, and eventual total liberation from compulsory service. The great majority of these last are domestic slaves, or artisans, hired out by their owners at exorbitantly high wages; and as they are in the way of hearing the merits of this question hourly discussed, and perfectly understand the nature, and appreciate the value of a change, which will enable them to realize for themselves some portion, at least, of the profits arising from their knowledge and industry, a desire for freedom has of late rapidly increased among them, which, however, I must add, is not always participated in by the older slaves, or by those who are domesticated in the family of their owner. It is due to the slave population to add, that in no one instance have I been able to ascertain that their hopes and expectations have manifested themselves in turbulent or disorderly conduct; it is stated to me, indeed, by the protectors and their assistants, that complaints of an insolent and disrespectful bearing towards the masters have of late become more frequent than usual. . . . .

On this part of the subject I will only add, that of course very many slaves will hereafter be found, who will misunderstand or abuse both the probationary period of apprenticeship, and subsequent perfect emancipation; but, in my humble opinion at least, in an augmentation, a very considerable one, however, to the numbers, and almost as considerable an extension of the powers of the magistracy; and in well-digested apprentice and vagrant laws, carefully adapted to the various local and other peculiarities of the Colony and the people, will be found a perfectly sufficient remedy for any or all the evils which, it is obvious, will arise, and are indeed inseparable from this entire change in the frame of society.

I must, in the first place, be permitted to observe, that there is, I believe, no colony in which instances of manumission have been more frequent than at the Cape; and that the Dutch Government was constantly obliged, even to the last hour of its administration in 1806, to restrain the humane feelings of the slave owners on this point, and to obstruct emancipation by increasing, on different occasions, the amount of the deposit required from the person manumitting, and extending the period for which a guarantee was required to be given by him from five to ten, and subsequently to 20 years, avowedly because manumissions became so frequent, that the poor funds of the church were expected to prove inadequate to meet the demands to which such extensive emancipation necessarily exposed it.

Also, I feel that I shall be fully borne out by those best acquainted with this Colony, when I affirm, that the inhabitants in general cannot, with justice, be accused of brutal or inhuman treatment of their slaves; that there is not, and never

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has been at the Cape, an attachment to slavery; that the existence of it here has been a matter of necessity, not of choice; and that, until within the last few years, there was no disinclination on the part of the colonists to emancipation, on fair and equitable principles. On the contrary, more than one plan for the gradual extinction of slavery has emanated from the proprietors themselves, the latest of which was submitted for the approval of the Home Government by Major-General Bourke, in 1826; and I cannot help adding, that I have myself conversed with several slave proprietors of the better description, who were fully conscious of, and admitted the evils of slavery in all its bearings, its baneful influence on the general interests of society, its demoralizing effects on all who are concerned in or come in contact with it, slave or free; and its no less injurious consequences to the private interests of the proprietors themselves. . . . . .

First, That a liberal compensation and a speedy settlement of the claims will go very far towards quieting their discontent, and that in their eager desire to obtain possession of the compensation money, let it amount to what it may, will be found the best remedy for the prevention of delay in the settlement of their claims, as far as that delay shall depend upon themselves; for when they shall fully understand, that whether they accede to the award made in each case or not, the period for the commencement of the apprenticeship is fixed and determinate, but that the payment of the compensation money must altogether depend upon their acquiescence in or refusal to abide by the award of the Commissioners, they will be less inclined to have recourse to the privilege of appeal, or to oppose the completion of the measure upon frivolous grounds. Secondly, That in one very material point of view, I conceive this Colony will benefit to a greater extent than any other by the present measure. The slave property, if I may so call it, is here, as elsewhere, almost universally mortgaged; but there is this great difference, that whereas the slaves of other Colonies are, almost in every case, mortgaged to absentees in London and elsewhere, who will, of course, be entitled to receive the amount due to them out of the compensation fund; those of the Cape are mortgaged to the merchants and others resident in and belonging to the Colony, and consequently, the compensation money, although it may change hands, will ultimately remain here.

It must be confessed that there is no enactment in the whole Bill in which the interests not only of the master and apprentice, but of society at large, are more seriously involved, or which will be attended with more difficulty of application to this Colony, than in the complete extinction of domestic authority and substitution for it of the authority of the magistrate.

It appears from the 15th section of the Bill, that His Majesty is empowered to appoint special justices of the peace, to the number of one hundred, for the whole of the Colonies, for the purpose of giving effect to the measure; and it is but natural to suppose, that the number to be appointed in each will be in proportion to that of its slave population, and to the density of the latter; but it is only necessary to glance at the map, to be convinced that though the number to be allotted here should infinitely exceed the proportion due to the slave population of the Colony, it never can be at all commensurate with the vast extent of country occupied, and the widely scattered and isolated habitations of the farmers to whom the slaves belong. It being at the same time no less evident, that the farther removed from the surveillance of the magistracy and of society the slave owner resides, the greater the necessity which exists for the frequent visits of the justices. It must be recollected that there are at present in the whole Settlement but twelve magistrates, having their fixed residence in the district towns, with twenty-three justices of the peace, the majority of whom reside there also; whilst of the slave proprietors the greater part live at the distance of from two to ten days' journey, and some of them at a much greater distance from the nearest seat of magistracy.

The districts, as you are aware, are divided into field cornetcies, of which there are 160 in the Colony, some of which, although containing only a few inhabitants, extend over an immense space; and should the special commission be granted to one justice for each field cornetcy, it would hardly suffice for the performance of the important duties which must necessarily devolve upon him; and I must add, that it would be utterly unsafe to delegate to the field cornets any authority whatever in this matter, as they are themselves, probably without a single exception, proprietors of slaves, and closely connected by ties of friendship and of blood with others who are similarly situated.

The prejudices which very generally exist in regard to a "free labouring population,"

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population," and the fears entertained as to the consequences of extensive vagrancy, are, as far as regards this Colony, certainly not unnatural, the inhabitants having daily before their eyes the effect of both in the persons of the "free blacks" and "Hottentots," who, since the promulgation of the law, (Ordinance, No. 50, 1828), "for improving their condition"; . . . . although many have acquired habits of industry, and a relish for civilized life, infinitely the majority are wandering about the Colony, subsisting on plunder and depredation, to whose idle and profligate character the records of the courts of justice bear ample testimony. Never having witnessed the effect of any other system of free labour than this, the farmer cannot or will not comprehend how it is possible that the evils above alluded to may be corrected, and the agricultural wants of a country, in as far as hands are concerned, be altogether supplied by any other means than compulsory labour, with mutual benefit to the owner and cultivator of the soil, and it would be utterly useless to endeavour to convince them of their error; experience alone can remove it.

It is not improbable that the far distant farmers may experience some difficulty in procuring labourers at the expiration of the apprenticeship; but I am not of opinion that this will generally be the case; for, were a Vagrant Act at this moment in force, it would be the means of adding to the present working classes several thousands of the free blacks and Hottentots who are at present scattered over the Colony without occupation. And although a law compelling these and all other vagrants to work for an honest livelihood, will have to contend here with difficulties of no ordinary description, arising from the vast extent of territory occupied by a scanty population, and the natural inclination of a large portion of the lower orders to a wandering independent life, I do not conceive the difficulties are insurmountable. . . . .

I have already stated that the resolutions were published here in the month of July last; had such not been the case, and that the first receipt of them had been with your Despatch, I should have promulgated them officially, accompanied by a proclamation in the spirit of the instructions contained in the latter, but as they had been made public so long ago without having caused any open expression of discontent, and as the dissatisfaction on the subject, be it what it may, had not at that period, and has not subsequently, assumed a character in the slightest degree requiring, or which would, I conceive, justify the interposition of authority, I have thought it better not to anticipate evil, or suppose that any discontent exists, and have therefore abstained from any official announcement on the subject. Were I, however, in possession of the Bill, as it received the royal assent, I should immediately publish it with an explanatory abstract, as in many places the inhabitants have expressed a great anxiety to be made acquainted with the details; and I am convinced that the sooner they are in possession of all the information on the matter that can be given, the better. . . . .

I have only to add, that I have not failed to communicate to the Attorney-General that part of your Despatch, which requires him "to engage immediately in the inquiry by what enactments the existing law therein referred to may be most conveniently adjusted to a state of society in which slavery will be unknown."

—No. 400.— No. 400.

EXTRACT of a DESPATCH from Lieut.-Col. *Wade* to Mr. Secretary *Stanley*, dated Government House, Cape Town, 14th January 1834.

A COPY of the Act for the Abolition of Slavery had already reached the Colony, and been published in the newspapers, a few days before I had the honour of receiving your Despatch, giving cover to His Majesty's Proclamation of the 4th September last, together with twenty-five copies of the Bill, and I had, consequently, directed the Attorney-General to prepare a short explanatory abstract of the latter; which with a proclamation, framed in conformity to the instructions contained in your communication of the 16th July, it was my intention immediately to circulate throughout the Colony.

Vide Papers printed by Parl. 15 April 1835, Part I. No. 177, page 8.

The receipt, however, of the Despatch in question (which I beg to remark only reached me on the 5th instant, although bearing date the 5th September last) and its enclosures, at the very moment I was about to do so, rendered this mode of proceeding unnecessary; and I therefore transmitted to the public functionaries,

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clergy and others, an Extraordinary Gazette, containing the King's Proclamation, and explanatory abstract of the Bill above alluded to, accompanied by a circular Letter (copies of both of which I have the honour to enclose) requiring them to unite with the Colonial Government in removing groundless misapprehensions, and allaying any excitement which exaggerated hopes or fears might naturally tend to create on occasion of this the first official announcement on the subject, which will, I trust, meet with your approbation.

7 Jan. 1834.

I have much pleasure in informing you, that the public tranquillity has remained undisturbed since the date of my former Despatch.

Enclosure in No. 400.

Enclosure in No. 400.

(Circular.)

Sir, Government House, Cape Town, 7th January 1834.

In transmitting for your information and guidance the accompanying Proclamation of the King in Council, and in proceeding to point out to you how I conceive His Majesty's most gracious intentions may best be fulfilled, I feel that I should be guilty of the greatest injustice, were I not to embrace the earliest opportunity which has been afforded me, of acknowledging that the announcement of the contemplated and momentous change in the existing relations of society to which the Proclamation has reference, has not been, as far as I am aware, up to the present moment, productive of any one act, on the part of either slave owner or slave, tending to disturb the tranquillity of this Settlement; and I cannot but express my most anxious hope, that both parties will perceive the propriety and advantage of persevering in a line of conduct which I have not failed to report for the information of His Majesty, by whom, I have no doubt, it will be duly appreciated.

With a view to guard against the possibility of misconceptions, which might be attended by the most dangerous consequences to all classes of the community, the Attorney-General has prepared, by my direction, the accompanying explanatory Abstract of the general scope and meaning of the several provisions of the Act of Parliament; and it becomes my imperative duty at the same time to require the public functionaries, but more especially the colonial clergy and ministers of every religious persuasion, to unite with the local government, for the purpose of allaying any irritation or discontented feelings which may possibly be produced among the proprietors by the prospect of the contemplated change, and of dispelling any illusion under which the slaves may be found to labour, as to the real nature of that change.

It cannot, I conceive, be denied, that an early and final settlement of this question was essential to the welfare of the Colony, and the Bill having received the Royal Assent, the abolition of slavery, at the precise period therein fixed, has become inevitable; the peaceful extinction of it, however, must wholly depend upon the cordial co-operation of all classes of society with the Government in giving effect to the measure; but it is chiefly by the conduct and demeanor of the proprietors and slaves themselves that this very desirable end is to be obtained.

It is of the utmost importance then, that the proprietors should distinctly understand, that a cheerful acquiescence in the provisions of the law is not only required of them as a positive act of duty, but that their own individual interests, and the future welfare of the Colony, are deeply involved in the disposition and temper which they may evince on occasion of the promulgation of the Act;—for as, on the one hand, a hearty and zealous co-operation in prosecuting to its end the great design of absolving the Colony for ever from the reproach of slavery, will secure to them the approbation of the mother country, and at the same time considerably accelerate the completion of the preliminary arrangements for the distribution of the compensation money; so, on the other, any manifestations of hostility or resistance to the law, whilst they cannot have the effect of deferring, even for one hour, the emancipation of the slaves, or the subsequent final release of the apprentices from compulsory service, must inevitably retard the settlement of the claims of the proprietors, and cannot fail to produce unfriendly feelings towards the Colony, on the part of the people of Great Britain, who have made such an enormous pecuniary sacrifice to ensure a successful issue.

From the slaves His Majesty is entitled to expect and demand the most tranquil and orderly submission to such laws as shall be framed for their future government, whether as apprentices, or in a state of entire freedom; and no opportunity should be lost, of inculcating upon them, that they will best display their gratitude for the favour they are about to receive, by carefully abstaining from any insolence or insubordination towards their masters, and cheerfully performing the services which they may lawfully require of them; and that, by any turbulent or disorderly conduct, they will inevitably subject themselves to the severest punishments.

It is impossible at present to afford any further information as to the actual amount of the compensation to which the owner of a slave will be entitled, than is to be found in the Bill itself (which will be immediately published in the Government Gazette); but the Parliament having solemnly pledged itself to combine a due regard for the interests of the proprietors with the emancipation of the slaves, the former may rest assured, that the good faith of the British Nation will not be violated.

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It may be as well that I should here endeavour to remove an impression which is, I understand, very general, in respect of the rule by which the total amount of compensation money to be allotted to the Colony is to be apportioned. It is a mistake to suppose that the sum to be awarded to each proprietor will depend upon the *number of slaves* he may possess; the apportionment will, on the contrary, be regulated by the value which shall be affixed to *each individual slave* by the Commissioners who will be appointed for that purpose.

As regards the fears and apprehensions which are, I am aware, entertained on the following points, viz.

The entire substitution of the authority of the magistrate for that of the master during the period of apprenticeship;

The difficulties which may occur in procuring a sufficiency of labourers to cultivate the farms;

And the losses to which property may be exposed from the depredations of the idle and dissolute, at the expiration of that period;

you will not fail to impress upon the proprietors, that the Legislature has not abolished the domestic authority of the master, or decided upon the emancipation of the slave, without, at the same time, providing for "an efficient stipendiary magistracy," and "for the frequent and punctual visitation by the special justices of the peace of the apprenticed labourers within their respective districts;" and also for the enactment of laws "for the prevention and punishment of insolence and insubordination on the part of the apprentices towards their employers," "of vagrancy," or "of any conduct on the part of the apprenticed labourers injuring or tending to injure the property of their employers;" and the proprietors may further rest satisfied, that long before the period of the expiration of apprenticeship arrives, other laws will be enacted, having in like manner for their object the prevention and punishment of vagrancy *after* that period, and for securing a sufficiency of labourers to the Colony, by *compelling*, not only the liberated apprentices to earn an honest livelihood, but all others who, being capable of doing so, may be inclined to lead an idle and vagabondizing life.

It will be seen, on reference to the Bill, but particularly to the 16th section of it, that various regulations necessary for giving effect to the Act, are, as regards this Colony, to be provided for by Orders of His Majesty in Council. On this subject, I am to state, that the *drafts* of such orders will be made known throughout the Colony, before they pass into a law; and His Majesty's Government will not only admit, but will invite, and weigh with all care, such observations as they may call forth, and such suggestions as any person may be disposed to make, for the improvement of the projected regulations.

In conclusion, I have only to express my earnest and confident hope, that His Majesty's faithful subjects of every class throughout the Colony, will approach this question with the dispassionate feelings due to the immense interests at stake; and that they will unite in one common effort to remove possible misapprehensions, and allay the excitement which exaggerated fears and hopes may tend to create.

You will be pleased to cause His Majesty's Proclamation, and the accompanying Abstract, to be disseminated, as extensively as possible, throughout your neighbourhood.

I have, &c.

(signed) *T. F. Wade*, Lieut.-Col., Acting Governor.

No. 401.

—No. 401.—

Copy of a DESPATCH from Governor Sir *B. D'Urban* to Mr. Secretary *Stanley*.

Sir, Government House, Cape of Good Hope, 1 April 1834.

Early in the last month the inclosed Memorial was presented to me for permission to hold a public meeting of "Proprietors of, and others interested in, Slave Property," with reference to the Slave Abolition Act of the 28th of August last.

No. 1.

As it was the opinion of several very respectable and intelligent individuals among the memorialists that no other measure would effectually answer the desired end of ascertaining the opinions of all the colonists upon the details of this most important matter, and considering, moreover, that the resulting representations of such a meeting would better perhaps, than any other means, serve to furnish by anticipation, "the suggestions and observations" (contemplated in your Despatch of the 5th of September last), "which His Majesty's Government will not only admit but invite, upon the draft (to be made known throughout the Colony) of an Order in Council for supplying the subordinate but necessary details for carrying into effect the series of general rules indicated by the Act, so that the Order in Council may not be promulgated without all the assistance which can be derived from those who are most conversant with the state and circumstances of the Colony;" I granted permission to hold the meeting accordingly.

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No. 2.—22 March 1834.

It was consequently held on the 22d of last month, and conducted with great decorum and propriety; and I have the honour also to transmit herewith the Minutes of its proceedings, which have been sent to me by the chairman.

The memorial, which I am thereby led to expect in a few days, shall form the subject of a separate Despatch; and I shall now therefore only express my hope, that the draft of the Order in Council, adverted to in the Despatch of the 5th September, may be on its way hither and soon arrive here, in order to enable it to be returned to England in due time, for the consideration of such "suggestions and observations" as may have been offered by the Colonists, before its promulgation, and for the order itself still to reach us before the Act of Parliament shall be in operation, viz. the 1st of December next.

I have, &c.

(signed) *B. D'Urban.*

Enclosures in No. 401.

Enclosures in No. 401.

(Copy.) No. 1.

To his Excellency Major-General Sir *Benjamin D'Urban*, K. C. B., Governor and Commander-in-Chief of the Colony of the Cape of Good Hope:

The MEMORIAL of the undersigned Proprietors of Slaves at the Cape of Good Hope,

Humbly prayeth,

That an Act of the British Parliament having been published here by authority, together with a Proclamation of His Majesty, bearing date the 4th of September 1833, declaring an entire Abolition of Slavery to take place in this Colony from and after the 1st day of December next, the undersigned pray that it may please your Excellency to allow a public meeting to be held in Cape Town, on the 8th of March next, of the slave proprietors in general, for the purpose of taking into consideration the provisions of the said Act of Parliament, and to submit to His Majesty such regulations and measures as may be deemed by the slave proprietors to be absolutely necessary to protect their interests and the welfare and security of the Colony in general, in carrying into effect the several enactments of this Act of Parliament.

And Memorialists as in duty bound will ever pray.

(signed *W. J. Odendaal.*
G. H. de Wet.
J. J. L. Smuts.
(And 80 others.)

(Copy.) No. 2.

Sir, Cape Town, 22d March 1834.

I do myself the honour as chairman of the public meeting of slave proprietors, held this day, under the sanction of his Excellency the Governor, to transmit for his Excellency's information copies of the resolutions *unanimously* passed at this meeting.

The petition founded upon these resolutions is in course of preparation, and will be laid before his Excellency at an early moment.

I have, &c.

(signed) *J. J. L. Smuts,*
Chairman.

The Honourable J. G. Brink, Esquire,
Acting Secretary to Government,
&c. &c. &c.

1st.—Proposed by Mr. *Letterstedt*; seconded by Mr. *de Wet*; and

Unanimously resolved,—That this meeting is of opinion, that the classification or division of apprentice labourers, as set forth in the fourth and following sections of the Act of Parliament, dated 28th August 1833, has been framed without the requisite knowledge of the state of agriculture and the division of labour within this Colony, and that the same cannot be made applicable to the labouring classes here.

2d.—Proposed by Mr. *Louw*, of Phisante Kraal; seconded by Mr. *Coenradie*, of Bree River.

Resolved,—That this meeting is of opinion, that the limitation of working hours, as fixed by the said Act of Parliament for all prædial apprentice labourers, has been made without due acquaintance with the state of agriculture and the distribution of labour here; that this limitation

limitation cannot possibly be observed within this Colony without the greatest injury to agriculture and the internal resources of this Colony, and without producing great injury to the moral character of the apprentice labourers themselves.

3d.—Proposed by Mr. *Dreyer*, senior, of Alphen; seconded by Mr. *H. Cloete Llon.*

Resolved,—That this meeting conceives that the interests of this Colony in general, as much as the well-being of the apprentice labourers themselves, require that no distinction should prevail between prædial and domestic apprentice labourers; and that with a view of accomplishing so desirable an object the slave proprietors and agriculturists are willing to forego the right acquired by them, under the provisions of the said Act of Parliament to the services of the prædial labourers, until the year 1840; and are content to allow *all* apprentice labourers who, at the passing of the Act, had attained their sixteenth year, to be classed as domestic labourers, and to be released from their apprenticeship on the 1st December 1838, upon those apprentices who, at the passing of the Act, were between their sixth and fifteenth, being apprenticed until they successively attain their twenty-first year.

4th.—Proposed by Mr. *G. Vos*; seconded by Mr. *J. Van Breda.*

Resolved,—That the 10th section of the Act of Parliament does not provide for the many circumstances when the husband or parent may be transferred separate from the wife, reputed wife, or children; and that this meeting humbly begs to submit to his Excellency the Governor the expediency of enacting some local regulation, authorizing, in cases of such transfers, the separation of a husband from his wife, or reputed wife, with their mutual consent, or whenever such separation may appear expedient for the well-being of either party, upon the case being submitted to a justice of the peace, and also to authorize the separation of parents from their children, after the latter shall have attained their twelfth year.

5th.—Proposed by Mr. *A. Van Breda*; seconded by Mr. *de Kock.*

Resolved,—That with reference to the 14th and 15th sections of the said Act of Parliament, it is the opinion of this meeting that from the vast extent of this Colony, and the scattered population thereof, it will be impossible to expect an adequate number of justices of the peace to act at the very high salaries contemplated in the said Act, without heavily burthening the expenditure of this Colony, if they are to be paid out of the revenue thereof, or without great injury to the slave proprietors, if borne upon the sum allotted as a compensation for the slave property; and that it is the opinion of this meeting, that in either case the interests of this Colony would be best considered by extending to the present justices of the peace and by conferring on other respectable resident inhabitants throughout the several districts the powers and authorities, to be delegated by a special commission under the said Act; and that many such persons would be found willing to perform those duties at the comparatively low salary of not exceeding 100 *l.*, thereby materially relieving the distressed state of the finances of the Colony.

6th.—Proposed by Mr. *J. de Villiers*; seconded by Mr. *Jones.*

Resolved,—That the slave proprietors view with deep concern that so much time has already elapsed from the passing of the said Act before the same shall come into full operation within this Colony; and that this meeting humbly submits that the present state of anxiety existing throughout the Colony will be materially allayed upon his Excellency being pleased, with the Assistant Commissioners mentioned in the said Act, to proceed in the discharge of the important duties delegated to them, to frame and prepare by the time that the said Act shall become operative, a statement exhibiting the estimated value of each slave, so as to afford the proprietor or mortgagee some approximation to the compensation about to be received, and thereby to arrest the losses and injuries under which the slave proprietors are already suffering and are likely still further to suffer.

7th.—Proposed by Mr. *Muller*, of Tullagh; seconded by Mr. Advocate *Brand.*

Resolved,—That this meeting conceives it necessary, for the welfare of this Colony and the interests of the slave proprietors, as well as strictly conformable to the principles of equity and justice, that the compensation held out to the proprietors, should be paid at the same time when liberty is proclaimed to the slave. That the mortgagees are thereby at once deprived of the effect of their mortgages, and that the most ruinous consequences otherwise await the holders of slave property. That should it therefore be impossible to expect the entire amount of compensation due to this Colony, to be paid over at that period, this meeting solicits that his Excellency will be pleased to apply to His Majesty to place the sum of four hundred thousand pounds at the disposal of his Excellency the Governor and the Assistant Commissioners to be appointed under the Act, in order therefrom to make a proportionate advance to applicant mortgagees of slave property; the amounts thus advanced to be allowed them upon the final payment due to them under the Act.

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8th.—Proposed by Mr. *Minnaar*, of the Paarl; seconded by Mr. *S. Van Reenen*, of Constantia.

Resolved,—That it is the opinion of this meeting, that the mode contemplated to give the proprietors of slaves a right of appeal to His Majesty in Council from the appraisement of slave property, to be made under the said Act, will only subject the slave proprietors to great expense, delay and loss; and that his Excellency the Governor be therefore requested to solicit from His Majesty to extend to his Excellency the Governor for the time being, and the persons referred to in the said Act, the power of finally deciding upon all claims for compensation, upon taking to their aid a jury of nine men, to be chosen regularly from among the grand jury of the Colony.

9th.—Proposed by Mr. *Adriaan Louw*, of Koeberg; seconded by Mr. Advocate *Hofmeyr*.

Resolved,—That the date for bringing the said Act into operation into this Colony having unfortunately been fixed at the most critical period of the year, with reference to the agricultural interests of this Colony, that his Excellency may be earnestly solicited to prepare and enact such legislative enactments, to become operative at the same time with the Act, as may secure the harvest then about to be reaped, to restrain the labouring classes from acts of disobedience, vagrancy or desertion, and thereby protect the best interests of this Colony.

10th.—Proposed by Mr. *R. Hoets*, of Cape Town; seconded by Mr. *Vander Spuy*, of Koeberg.

Resolved,—That (the feelings of the slave proprietors, as to the operation of the Act, having been expressed by these resolutions) his Excellency the Governor be solicited to submit the same under the provisions of the 23d section of the said Act of Parliament, to the serious consideration of the Legislative Council of this Colony; and as these resolutions are submitted not to militate against the spirit of the said Act (in which it is the wish of the meeting to mark their general acquiescence), that his Excellency may be solicited under the aforesaid authority, to press the same for adoption upon the Legislative Council, in order that a declaratory Act may pass, which shall, in the terms of the Acts of Parliament, enable His Majesty to grant the relief prayed for.

11th.—Proposed by Mr. *D. Eksteen*, of Kerstenbosch; seconded by Mr. *J. Cloete*, of Constantia.

Resolved,—That a petition to his Excellency the Governor, founded upon the foregoing resolutions, be now read and approved, and submitted for signature.

12th.—Proposed by Mr. *Van Reenen*, of Ganzekraal; seconded by Mr. *J. Kotze*, of Berg River.

Resolved,—That the committee, nominated at a public meeting of the slave proprietors on the 17th September 1832, be thanked for their exertions on behalf of the interests of the slave proprietors, and that they be requested to continue their exertions in support of the interests of the slave proprietors and the slaves themselves, both in this Colony and in England.

13th.—Proposed by Mr. *G. Meyer*, of Cape Town; seconded by Mr. *Jurgens*.

Resolved,—That this meeting express their sincere thanks to his Excellency the Governor for the frank and candid manner in which he has pleased to sanction this public meeting.

14th.—Proposed by Mr. Advocate *Cloete*; seconded by Mr. *A. Smuts*, of Cape Town.

Resolved,—That copies of the foregoing Resolutions be transmitted by the Chairman to his Excellency the Governor, with the information that they have all been *unanimously* adopted by this meeting.

—No. 402.—

No. 402.

COPY of a DESPATCH from Governor Sir *B. D'Urban* to Mr. Secretary *Stanley*.

Government House, Cape of Good Hope,
21 April 1834.

Sir,

WITH reference to my Despatch of the 1st instant I have now the honour to transmit the Memorial of "Proprietors and others interested in slave property," resulting from the public meeting held on the 22d March last, with my appointment thereon.

No. 1.—22 March 1834.
No. 2.—19 April 1834.

The tone and temper of this Memorial seem to me moderate and unobjectionable, considering too how deeply the vital interests of the Memorialists are involved in the subject of it.

His

CAPE OF GOOD HOPE.

His Majesty's Government will judge how far their wishes can be met in any of the instances upon which they are expressed, "without being in contradiction to the Act of Parliament, or any part thereof;" but there is one part of their prayer to which I, with all deference but most earnestly, solicit a favourable consideration. It is that which prays that a certain portion at least of the compensation money may be made available within the Colony, by the time that the Act takes effect, viz. 1st December next. If this may not be acceded to, it is scarcely possible to foresee the extent of ruin and misery which will be the certain consequence, not only to the slave proprietors, but to all classes in the Colony, and necessarily therefore to the Colony itself.

With reference to the desire expressed in the Memorial for the formation of the Auxiliary Commission of Compensation, you will have seen by my Despatch of the 29th of March last, that I had already, without having received any official communication from the Commissioners of Compensation in England, taken the necessary preliminary measures for carrying that measure into effect.

I have, &c.

(signed) *B. D'Urban.*

P. S.—It appears to me not superfluous to request your reference upon the two important points of the "compensation money," and of the necessary number of "special magistrates," to the observations thereon in Colonel Wade's Despatch of the 6th of December last.

(signed) *B. D.*

Enclosures in No. 402.

Enclosures in No. 402.

No. 1.

To His Excellency Sir *Benjamin D'Urban*, K. C. B., Governor, &c. &c. &c.
Cape of Good Hope.

The MEMORIAL of the undersigned Proprietors and others interested in Slave Property.

Humbly sheweth,

That the Memorialists having, under the sanction of your Excellency, assembled for the purpose of submitting such measures as may be necessary to the welfare of the Colony, as affected by the Act of Parliament for the Abolition of Slavery, take leave to suggest the following propositions, setting forth and tending to secure the interests both of the white and coloured population, without deviating from the spirit of the Act, especially as indicated by its 23d clause.

That the appropriation of the apprenticed labourer's time in the 4th and following sections of the Act, has been contemplated without full information or reference to the character of labour and nature of local circumstances.

That to preserve the apprentice in those industrious habits, which can alone render him competent in due time to earn an independent livelihood, and advance himself in the qualities of frugality, steadiness and application, so indispensable to the free burgher, and necessary to the well-being of society, it is requisite either to find him the means of occupation during the weekly disposable hours of his apprenticeship, or to make such arrangement as shall contract that period to the contentment both of the master and servant.

That the optional intermission of daily or weekly labour would strike at the root of every regular occupation, trade and manufacture, placing the master at the mercy of his assistant, defeating any certainty in operations requiring continuity, incurring a double expense in attendance, and entailing the decline of such as are, and the deprivation of such as would be, established; thus cutting off the future means of success and subsistence of the negroes themselves.

That the agriculturists of this Colony are for the most part poor, having invested their all in the part payment for slaves, and pledged their future labours for the residue of the purchase money. With means thus anticipated, his returns scanty and precarious, it is much if the farmer can (after paying his taxes and the annual interest due for these identical slaves or apprentices) pay wages for the apprentice's time at the busy seasons of harvest, wine-pressing, &c. The demand for their over-hours will therefore be simultaneous, occasional and dearly paid.

That even thus hiring would be a fresh expenditure upon the depressed produce of this country, diminish its extraction, and turn its export trade into foreign channels, to the future injury of the freed men themselves.

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That the compensation money being withheld for a long time (as it must be till all the stipulated arrangements be completed according to the Act) the owner of mortgaged slaves is thereby compelled to pay double for interest: first, the interest to his creditor for purchase money of the slave, and then the wages to that slave, turned into a free labourer; so that before the compensation money can arrive to him, his utmost frugality, and all the indulgence of his creditors, cannot preserve him from the necessity of materially reducing, or totally abandoning the business of his farm, whereby agricultural improvement will be lost, farms fall to decay, and the condition of the whole country retrograde, to the great misery of the white inhabitants, and the reflective prejudice of negro apprentices and freed men.

That, without further dilating upon the increased causes of poverty to the whole of the country proprietors, the isolation of their homesteads originally established, because of a spring on the spot, and frequently surrounded with an arid desert, afford the negro apprentice no chance of seeking for work in an immediate neighbourhood for his over-time, as in a densely populated or manufacturing country; and with very few markets, and those distant, difficult of access, and adequately supplied from their environs, he is deprived of encouragement even where the sufficiency of moisture might permit him to exercise his industry. His over-time must, therefore, whether he wish it or not, be leisure; and, to dissipate its ennui, there is no gainsaying that the vices of intemperance and gaming, the desultory pastime of the chace, &c. would be called in to render these irresponsible days, during six years, the bane of domestic order at the farm; but also devote the apprentice to habits as inveterate as they are subversive of those principles which must have been contemplated by His Majesty and the British nation, as calculated to prolong and render happy the existence of the dependent being, whose exaggerated bands have been broken at such vast expense.

That the prædial apprentice would, by the longer continuation of his term, be obliged to forego his family ties to the household female apprentice during two years, or the latter be virtually bound to the spot thus long beyond her due time.

Memorialists therefore submit, that it will not only better satisfy the prædial apprentice above sixteen years of age, but be more beneficial to him, that, as the aggregate of his spare hours would approximate to two years of his apprenticeship, he shall, instead of his weekly leisure hours, have the benefit of two years in the term of his apprenticeship, so that the term of the household and prædial apprenticeship shall expire together. And to the effecting of this suggestion, Memorialists add their most earnest supplication, as a measure calculated to avert a mass of wretchedness from the white colonists, and a miserable wreck of the good principles of the coloured inhabitants.

Memorialists beg leave further to represent, that the apprenticing of children of tender years with the same uncontrolled privilege as the grown up labourer, and for a shorter term than their attainment of the age of twenty-one years, would be unreasonable to the master, injurious to the skill and morals of the servant, and mischievous to social order.

That without recapitulating the temptations to irregularity, which would operate still more powerfully upon youth, unarmed with the sagacity and experience of the elder negro, with slight reference to the misguided tenderness, which would restrain the master from repressing nascent vice by domestic chastisement, and which leaves him the painful alternative of recurring to the hardening exposure of the magistrate's court, upon every aberration of thoughtless youth, or of allowing perverseness to ripen into crime, it is necessary to present to your Excellency's notice, that men who have families of their own to maintain, could not afford to teach their art or trade to apprentices, unless a few years of profit from their labour should be the bonus in reimbursement for the incumbrance, expense and trouble of their earlier years.

Memorialists, therefore, for the interest of both parties, and particularly for the forwarding in life, and the well-being of the freed youth under sixteen years of age, solicit that they be subject to apprenticeship until the age of twenty-one, under proper regulations.

That the separation of children from their parents, and these from each other, being sometimes desired by the parties themselves, and for their mutual advantage and restraint thereon appearing, as relates to the children, to be wholly unnecessary after twelve years of age, and on occasions (as where the parent is of irreclaimable bad habits) antecedent to that period, it is respectfully submitted that the Act, section 10, does on these points require to be qualified and explained by local enactments.

That the Memorialists, already impoverished by the continued languishing and unprofitable state of their export trade, are at this time with extreme difficulty able to meet the demands for the revenue, and have shown, in the course of the foregoing explanatory and deprecatory solicitations, that highly as they appreciate, and much as they hope from your Excellency's disposition to soften the rigour of this pronunciation of the will of the people of England, they can neither conceal from themselves, nor will they shrink from the view of others, that they must await a period of calamity;—a crisis, which will diminish the contributors and lessen the means of even such as remain.

With such an avowal of their knowledge of their trying situation, and with such a spirit of loyal obedience to a measure which destroys them, they are bold to declare that they confidently expect, in the solicitude of the sovereign, and the hands to which their fate has here been immediately intrusted, to meet with all the relief that the effectuation of the measure itself will admit.

Memorialists,

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Memorialists, therefore, entreat your Excellency to recommend to His Majesty's gracious consideration, that in a Colony so extensive, so sterile and thinly spotted with farms, the special magistrates, to be efficient must be numerous; and that the salaries named in the Act, would in consequence be an intolerable burthen on the Colony; whilst Memorialists humbly offer to notice, that every useful purpose would be answered by extending the special commission to the actual justices of the peace (who would, moreover, require no interpreters), and by adding such number as might be further necessary, at a salary not exceeding one hundred pounds per annum, which Memorialists beg to add, would procure the services of men of education, intelligence and tried integrity throughout the Colony.

That a ruinous depreciation has, since the reception of the Act, ensued in slave property ordered for sale at auction; that the continuance of the uncertainty and anxiety thereon would, at a period when the mortgagees are rendered apprehensive for their security, be attended with such disastrous aggravation of this inevitable loss, that Memorialists deem it of the most imperious urgency that the public mind be quieted, and the interested parties re-assured, by the earliest possible promulgation of not only wholesome regulations, but of some guiding valuation; they, therefore, humbly crave that your Excellency will be pleased to appoint the Assistant Commissioners; and considering the pressure of the emergency, the large amount of property at stake, and that the suffering parties have in no manner brought their losses upon themselves, your Excellency will cause to be made up, before the said Act shall become operative, official statements, exhibiting the estimated value of each slave, whereby a proximate opinion can be formed of the accruing compensation money, and the proprietor and mortgagee be enabled to effect a compromise, without altogether breaking up the home and hopes of industrious families, who form, in number and respectability, the strength of the interior, upon vague and fluctuating apprehensions.

That as the Act of Parliament has adopted and acknowledged the principle of compensation in a manner equally solemn as emancipation, and as by not bringing them jointly into operation, an inevitable and certain ruin of nearly all the Colonists will therefore ensue, Memorialists pray your Excellency respectfully to submit to His Majesty's enlightened consideration the justness and fairness of ordering the compensation to take effect at the same time with the general emancipation.

That in the event of such being absolutely infeasible, your Excellency's Memorialists further beg leave to submit, that the greater proportion of slave property is held under mortgage; that the mortgagee, being by the first operation of the Act deprived of the effect and value of his mortgage, must sue the debtor, whose utter ruin will in most cases ensue, unless the Government at the same moment that it assumes and sets free the property be also prepared to liquidate the incumbrance thereon; that not only the interests of the proprietors of slaves require, but moreover that it would be but consistent with the first principles of justice and equity, that the amount of compensation to be awarded to the proprietors of slaves should be paid over to them at the same time when they are deprived of their right of property. But Memorialists, impressed with the difficulties which must necessarily beset the final appropriation of so large a sum to be allotted amongst so many, yet earnestly pray that your Excellency will, on their behalf, supplicate that His Majesty may be pleased to cause a sum of about four hundred thousand pounds (£.400,000) to be placed at the disposal of your Excellency and the Assistant Commissioners, so that provisional relief may, with due reference to proportionate value, be extended to applicant slave owners, in partial discharge of the mortgages now held, upon their slaves, and registered for adjustment upon the final apportionment under the Act.

That Memorialists request your Excellency to place before His Majesty their grateful acknowledgments for reserving to them the privilege to appeal to His Majesty in Council, and their humble suggestion, that if it meet His Majesty's pleasure, the slave proprietors would derive greater advantage (in obviating much cost, delay and obscurity of account) should His Majesty be graciously pleased to concede, that his Excellency the Governor of this Colony, and the Assistant Commissioners, were vested with powers finally to decide appeals, on calling to their aid nine persons indiscriminately out of the grand jury next on the court roll.

That this Colony has long laboured under much individual loss and vexation by the prevalence of vagrant and marauding habits among the coloured population, and without meaning to imply that there will exist a stronger disposition to restlessness and intemperance in the free apprentices than is found in the civilized poor in Europe, Memorialists humbly submit, that it is scarcely to be expected that there will be a greater bias to the contrary virtues, and that until experience shall convince them of the misery of seeking liberty in the wilderness, there will be more frequent and expensive depredations on the farmer's flocks, &c.

Memorialists therefore, with the fact before them that the Act unfortunately happens to commence its operation in the midst of harvest, and that the natural excitement arising from the alteration in condition, may lead the apprentice to an unmeasured conception of his liberty of will and person, humbly represent, that, as early as is consistent with the full consideration of a subject which they are well aware stamps the entire institutions of a country with the character of abasement or elevation, a sound and well-digested law for compelling persons who have no ostensible means of subsistence to account for their time, and to accept of employment to give them a legal settlement, and oblige them to contribute to the

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upholding of that system of order to which they are debtors for protection, should be enacted and promulgated, so that apprentices may seasonably learn, that whilst their rational liberty is guaranteed, there will be no scope allowed for licentiousness and desertion.

Memorialists, convinced that the advantage of one class can never be permanently founded upon the loss or detriment of another, have sought in all their representations as much the interest of the coloured as of the white population; they have kept strictly within the spirit of the Act; they have candidly stated the claims of the Colony, founded upon the universally recognized principles of justice. That admitted, Memorialists will neither withhold their wishes nor exertions, that the freed people shall become all that their deliverers can desire, and that the thus regulated Act would in due time render them.

Memorialists therefore humbly trust, that your Excellency will confirm their hopes, and after a declaratory enactment in Council to that effect, submit to His Majesty their request for the grant of provisional relief, as before solicited.

And your Excellency's Memorialists, as in duty bound, will ever pray.

(signed) *J. J. L. Smuts.*
Cape Town, Cape of Good Hope, (signed) *R. C. Hoets.*
22d March 1834. (signed) by 265 Individuals.

No. 2.

Sir, Colonial Office, 19th April 1834.

With reference to the Memorial of Proprietors and others interested in slave property, dated 22d March 1834, and presented to his Excellency the Governor on the 7th instant, I am commanded to transmit to you herewith, for the information of Memorialists, the accompanying appointment of his Excellency thereon; and have the honour, &c.

(signed) *J. G. Brink,*
To J. J. L. Smuts, esq. Acting Secretary to Government.
Chairman of the public Meeting of Slave Proprietors,
held in Cape Town, on the 22d March 1834.

APPOINTMENT.

"MEMORIAL of Proprietors and others interested in Slave Property, dated 22d March 1834," and presented to me on the 7th April following:

I have given my careful attention to this Memorial, and I hasten to transmit it to the Secretary of State for His Majesty's most gracious consideration.

By a reference to the 16th clause of the Act of Parliament of the 28th August 1833, as well as to the 23d clause of it, the Memorialists will be aware that the latter of these does not apply to this Colony, because it is one of those Colonies to which the legislative authority of His Majesty in Council extends, and consequently the office of supplying by local enactments such subordinate details as, without being repugnant or contradictory to the Act, or any part thereof, may be necessary for giving effect to the series of general rules which it indicates, for regulating the future relations of the employer and of those who are to labour in his service, devolves upon His Majesty, acting with the advice and consent of His Council; accordingly, the necessary local enactments for that purpose in this Colony will be made by an Order of His Majesty in Council; but that this may not be passed without first having had the advantage of local knowledge and experience, I have been instructed by His Majesty's Government to expect (and doubtless shall receive by one of the first mails from England now so long due) "a draft of the proposed Order in Council, that it may be generally made known throughout the Colony; and His Majesty's Government will then not only admit, but invite and weigh with all care such observations as it may call forth, and such suggestions as any persons may be disposed to make for the improvement of its projected regulations; so that it may not be finally promulgated without all the assistance which can be derived from those who are most conversant with the state and circumstances of the Colony."

Doubtless the representations and observations contained in the Memorial will not fail to furnish most essential suggestions upon the expected draft of the Order in Council, wherever they may be applicable to its provisions, and may not be found "repugnant or contradictory to the Act of Parliament."

Meanwhile, in transmitting the Memorial, I earnestly and especially recommend to the favourable consideration of His Majesty's Government, that part of it which prays, that the compensation, or at least a certain portion of it, may, as soon as possible, be rendered available in this Colony for the important and vital object therein set forth. I had already,

before

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before the Memorial was prepared, appointed the "Auxiliary Commission" to which it adverts. I had not either been unmindful of the necessity of a law for providing for the location and employment of those who wander about the Colony, without either the one or the other, and its preliminary arrangements are in progress. It is not to be denied, however, that to render it effectual without being sometimes individually oppressive, is a task of no ordinary difficulty; it would indeed, at any rate, have been indispensable, before the conclusive enactment of such a law, for the legislators to become acquainted with the provisions which the Order in Council, with reference to the 16th clause of the Act of Parliament, will naturally have proposed, in that regard for the regulation of the apprenticed labourers, in order that there may be collision between the one and the other.

Government House, Cape Town, 19th April 1834. (signed) *B. D'Urban.*

— No. 403. —

No. 403.

COPY of a DESPATCH from Governor Sir *B. D'Urban* to Mr. Secretary *Stanley.*

Government House, Cape of Good Hope,
Sir, 31 May 1834.

WITH reference to the latter part of the Despatch which I had the honour to address to you on the 1st of April last, I think it right to apprize you, that hitherto no "draft of the Order in Council," therein adverted to as announced in your Despatch of the 5th September last, (and of which I have been in anxious expectation), has yet been received by me.

I have, &c.

(signed) *B. D'Urban.*

— No. 404. —

No. 404.

COPY of a DESPATCH from Mr. Secretary *Spring Rice* to Governor Sir *B. D'Urban.*

Sir, Downing-street, 12 September 1834.

I HAVE to acknowledge the receipt of your Despatch of the 31st of May last.

For various reasons to which I need not stop to advert, it has not been thought necessary or advisable to submit for the consideration of the King in Council any distinct measure for the purpose of regulating the future relations of the apprenticed labourers at the Cape to their employers.

It has been considered that such a measure, grounded as it should be upon a comprehensive knowledge of the habitual relations in which all the parties concerned stand to each other, would best be devised and completed on the spot.

The accompanying circular instruction to the Governors of certain Sugar Colonies will impart to you generally the views and wishes of His Majesty's Government, in regard to the nature of the detailed enactments by which the intentions of the Legislature are to be carried into effect; and I beg leave to recommend to you to take the necessary steps for preparing the draft of an ordinance for the consideration of the Legislative Council, which shall be grounded upon the principles and rules laid down in the paper annexed to the circular instructions.

19th October 1833. *Vide* Parl. Papers, printed 16 April 1835, No. 177.

I have, &c.

(signed) *T. Spring Rice.*

P. S.—It will be advisable, for the sake of despatch, that in all cases in which the proposed Cape Ordinance may differ from the Order in Council, you should report to me, most fully and distinctly, the reasons which in your mind make such deviations necessary.

(signed) *T. S. R.*

CAPE OF GOOD HOPE.

No. 405.

—No. 405.—

COPY of a DESPATCH from Governor Sir *B. D'Urban* to Mr. Secretary *Spring Rice*.

Government House, Cape of Good Hope,
Sir, 7 January 1835.

WITH reference to my Despatch of the 31st May, I have the honour to inform you, that yours to me of the 12th of September last, with the models of enactments for the guidance of the Legislative Council, reached me on the evening of Saturday the 29th of November.

I lost no time in proceeding thereon, and the Attorney-General having framed without delay a draft of an Ordinance, it was proposed to the Legislative Council, read a first time, and published on the 5th of December; and as soon as the prescribed three weeks had elapsed, again brought under discussion and passed, and is herewith transmitted.

Ordinance, No. 1. 5 Jan. 1835. printed in the Appx. (B.) No. 76.

The principles of the Act of Parliament and models transmitted have, I believe, been carefully observed; but the whole slave population have been classed as nonprædial labourers; this being alike the desire of the employers and employed, and doubtless much to the advantage of the latter, as will readily be seen by the enclosed schedule. The labour besides, in this Colony, of farmers, differing very widely from that in the West Indies, and being so promiscuous that it would have been in many instances impracticable to class it, and would have constantly led (and was accordingly deprecated by the labourers themselves) to the placing near connexions, husbands and wives for instance, respectively in different conditions; the one becoming altogether free two years sooner than the other.

No. 2.

I believe that this Ordinance is well adapted to those whom it concerns, and I therefore humbly trust to its receiving His Majesty's gracious approval and confirmation.

I have, &c.

(signed) *B. D'Urban.*

Enclosure in No. 405.

Enclosure in No. 405.

TABLE of HOURS of LABOUR, &c. for APPRENTICED LABOURERS at the *Cape of Good Hope*, being the usual Working Hours of Free Labourers in the Colony.

MONTHS.	Hours of Labour in each Day.	Intervals for Meals, &c.	Hours for Rest and Sleep.	Total Hours of exemption from Labour.	Average length of the Day and Night. from Sunrise	to Sunset.
May - - - June - - - July - - -	9	2	13	15	10½	13¾
March - - April - - August - - September - -	10	3	11	14	11½	12½
October - - November - - December - - January - - February - -	11	3	10	13	13¾	10½

The average labour in a month is 25 days.

3	Months' labour	75	days at	9	hours per diem, give				675	hours.
4	„ „	100	„ „	10	„ „ „				1,000	„
5	„ „	125	„ „	11	„ „ „				1,375	„
12		300	Average 10 h. 10 min. per annum -						3,050	„

6 years' labour, or 1,800 days, at 7 h. 30 min. per diem, give 13,500 hours.
4 „ „ 1,200 „ „ 10 h. 10 min. per diem, give 12,200 „

Gain to the Labour } 2 Years' freedom 600 days to earn wages, and - - 1,300 hours' labour in the term of apprenticeship.

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CAPE OF GOOD HOPE.

No. 406.

—No. 406.—

COPY of a DESPATCH from Mr. Secretary *Grant* to Governor Sir *B. D'Urban*.

Sir, Downing-street, 30th April 1835.

I HAVE received and laid before the King your Despatch of the 7th January, enclosing an Ordinance, intituled, "An Ordinance for giving due effect to the provisions of an Act of Parliament, passed in the third and fourth years of the reign of His Majesty King William the Fourth, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves; and for compensating the Persons hitherto entitled to the services of such Slaves,' and dated the 28th August 1833."

This Ordinance has been passed in fulfilment of the conditions imposed by the Act of Parliament for the Abolition of Slavery on the different Colonial Legislatures, in order to entitle the colonists to a participation in the compensation fund. In this instance, that obligation appears to have been fulfilled in the most complete and satisfactory manner. The law is in effect a mere transcript of His Majesty's Order in Council, made for a similar purpose in relation to Trinidad, St. Lucia and Mauritius, with such changes only as are necessarily incident to the essential distinctions between those Islands and the Colony of the Cape of Good Hope, in rural economy, climate, and topographical circumstances.

I observe, however, that this Act supposes (*see* cap. 1. sections 1 & 3,) the employment of no less than 22 special justices, which number you have subsequently reduced to 14, and I am willing to believe that the extent, and still more the inaccessible character of many of the interior districts, would probably render the law altogether nugatory, if a very much larger number of magistrates were not employed for the execution of this Ordinance, than those who have been sent for this purpose from this kingdom. Hence may perhaps arise the necessity for the employment of some of the proprietary body as special magistrates, though I feel myself called upon to desire that you will avoid having recourse to such assistance, unless when it may be impossible to procure any other.

In this ordinance, the distinction between prædial and non-prædial apprenticed labourers, is entirely superseded. The whole slave population of the Colony are hereafter to be considered, for the purposes of the Act of Parliament, as non-prædial. It appears to me that this is an extremely judicious arrangement, since there is no doubt that the distinction was made by Parliament exclusively on account of the peculiar circumstances of the slaves in the sugar colonies. If the Colony of the Cape of Good Hope alone had been in question, Parliament would certainly have proceeded upon the principle which has been adopted by the Governor and Legislative Council. The result is, that in this important settlement every vestige of slavery will have disappeared by the 1st of December 1838.

In cap. 10. of this Ordinance, is a declaration, that hereafter the interests of an employer in the services of any labourer shall be liable to be seized and taken in execution, under process of law against such employer. In this case, the abandonment of the distinction between prædial and non-prædial labourers, may give to the Ordinance an effect injurious to the whole body, which could scarcely have been contemplated. Although the legal distinction between the two classes may, for the present purpose, have been disregarded, they will not the less be distinct from each other in point of fact. A man accustomed to work on a particular farm, and having there his home, his connexions and attachments, local and personal, ought not to be detached from it in satisfaction of the debts of his employer. At the present day, there is no part of the British West Indies in which the law admits such a separation. It appears to me, therefore, desirable that you should propose for the adoption of the Legislative Council an explanatory Ordinance, declaring that no labourer habitually employed on any farm, should be liable to be removed from it in pursuance of any judgment or execution against the employer; but that, in all such cases, the land and the services of the attached husbandmen must be seized and sold together.

CAPE OF GOOD HOPE.

Such are the only remarks which have been suggested to me by the perusal of the Ordinance, which, in all other respects, has appeared to me entitled to His Majesty's unqualified approbation; and I have accordingly to acquaint you that, subject to the qualification which I have mentioned, His Majesty is pleased to confirm the said Ordinance.

I have, &c.

(signed) *C. Grant.*

No. 407.

—No. 407.—

COPY of a DESPATCH from Lord *Glenelg* to Governor Sir *B. D'Urban.*

Sir, Downing-street, 3 August 1835.

I HAVE the honour to transmit to you herewith, an Order of His Majesty in Council, dated the 31st ult., declaring that adequate and satisfactory provision hath been made in the Colony of the Cape of Good Hope for giving effect to an Act of Parliament made in the third and fourth year of His present Majesty, for the Abolition of Slavery.

Printed in the Appendix, Part II. (B.), No. 17.

I have, &c.

(signed) *Glenelg.*

Appendix (B.)

COLONIAL LAWS.

ANTIGUA.

— No. 18. —

Antigua.

No. 18.

AN ACT for relieving the Slave Population from the Obligations imposed upon them by the recent Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves."—(Passed 4th June 1834.)

Whereas by the 23d section of an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His Majesty King William the Fouth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, "that in case the Governor, Council and Assembly of any one or more of His Majesty's Colonies aforesaid shall, by any Act or Acts of General Assembly for that purpose made, substitute for the several enactments thereinbefore contained, or any of them, any enactments accomplishing the several objects in such thereinbefore contained enactments respectively contemplated as fully and to the like effect, but in a manner and form better adapted to the local circumstances of any such Colonies or Colony; and in case His Majesty shall, by any Order or Orders to be by Him made, by the advice of His Privy Council, confirm and allow any such Act or Acts of Assembly, and shall in and by any such Order or Orders in Council recite and set forth at length the several provisions and enactments of that Act for which such other enactments as aforesaid shall have been substituted by any such Act or Acts of General Assembly, then and in such case so much and such parts of that Act as shall be so recited and set forth at length in any such Order or Orders of His Majesty in Council shall be suspended and cease to be of any force or effect in any such Colony from and after the arrival and proclamation therein of any such Order or Orders of His Majesty in Council, and shall continue to be so suspended so long as any such substituted enactments shall continue in force and unrepealed, and no longer."

And whereas the Governor, Council and Assembly of this Colony, having maturely considered the system of apprenticeship prescribed by the said Act of Parliament in all its bearings, have arrived at a conviction of the expediency of dispensing with the same, and allowing the slave population to pass to a state of absolute and entire freedom on the 1st day of August 1834:

And whereas the ordinary local resources cannot be justly expected to be equal to bearing the increased expenditure which must obviously be required for accomplishing the several objects contemplated in this Act, and the Legislature is therefore imperatively called upon to appeal to the generous and benevolent feeling and consideration of the King's Most Excellent Majesty, and implore His gracious assistance in relieving this ancient Colony from "the 4½ per cent. impost," a burthen which has long and severely pressed upon its interests, under which Colonies not more conspicuous for their loyalty and attachment to His Majesty's person and Government, though possessing infinitely greater wealth and local advantages, have never laboured, and from which its present impoverished condition and dejecting prospects now urge it, with all due and profound reverence for His Majesty, and an implicit reliance upon His royal and paternal care, and the solicitude He has invariably manifested for the welfare of all classes of His faithful subjects, to prefer its strong equitable claim to be in future equally free:

1. May it therefore please Your Most Excellent Majesty, that it may be enacted, and be it enacted by the Governor and Commander-in-Chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and the Council and Assembly of this Your Majesty's Island of Antigua, and it is hereby enacted and ordained, by the authority of the same, that all and every the persons who, on the 1st day of August 1834, shall be holden in slavery within this Colony or its dependencies, shall upon and from and after the said 1st day of August 1834 become and be, to all intents and purposes, free and discharged of and from all manner of slavery, and of and from the obligations imposed by the said hereinbefore in part recited Act of the Parliament of the United Kingdom of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery

Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished, and declared unlawful within this Colony and its dependencies.

2. And be it further enacted, that the said persons so manumitted shall on the said 1st day of August 1834 be considered eligible, in the several parishes in which they were last holden in slavery, to receive parochial relief on the same footing as all His Majesty's other subjects in this Colony.

3. And be it further enacted, that until the 1st day of August 1835, it shall not be lawful for the owners or directors of plantations to evict or expel any labourer or labourers, person or persons, who shall be willing to continue to perform such work as shall be assigned to him, her or them, and shall truly and faithfully perform the same for stipulated wages, or who shall be then labouring under any such disease or mental or bodily infirmity as may render him, her or them incapable of earning his, her or their subsistence, from the habitations or tenements which he, she or they respectively personally occupied in their state of slavery, except in case of insubordinate, quarrelsome, disorderly or riotous behaviour, or in case of drunkenness, theft, trespass or other gross delinquency on their part, when it shall be competent to any two or more justices of the peace, upon due and impartial inquiry made into the merits of the complaint, by an authority under their hands and seals, to sanction the expulsion of any such delinquent; but the said owners or directors of plantations shall be and are hereby required to permit and suffer the said labourers and persons to have and enjoy respectively the personal occupation of the said habitations or tenements, by way of a temporary and gratuitous accommodation, for the year ending on the said 1st day of August 1835, and no longer, without any molestation or interruption of or by the said owners or directors of plantations, under a penalty of 5 *l.* for every offence, to be recovered and applied in the manner hereinafter mentioned.

4. And be it further enacted, that from and after the said 1st day of August 1834, all owners or directors of plantations in this Colony shall be and are hereby required to supply those persons who in their state of slavery were attached to such plantations respectively, and shall at the time of emancipation be afflicted with any such disease or mental or bodily infirmity as may render them incapable of earning their subsistence, with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances, as by the laws now in force in this Colony an owner is required to supply to and for any slaves being of the same age and sex, and under the same circumstances as such persons shall respectively be, until proper arrangements and due and adequate provision shall be made for their maintenance and relief by the respective parishes, or by some other benevolent and effectual plan in their favour, and no longer, under a penalty of 5 *l.* for every offence, to be recovered and applied in the manner hereinafter mentioned.

5. Provided always, and be it enacted, that in the event of any dispute or difficulty in ascertaining whether any particular individual shall be included in such number of persons, it shall and may be lawful for the parties interested to make their appeal to two or more of the nearest of His Majesty's justices of the peace, who, taking to their counsel some experienced medical practitioner, shall under their hands and seals make a peremptory and conclusive decision in this behalf.

6. And be it further enacted, that the penalties imposed by this Act shall and may be recovered before any two or more justices of the peace; and all justices of the peace are hereby empowered and required, upon complaint to them made, to grant a warrant to bring the offender before them, at the time and place in such warrant specified; and if on conviction of such offender on his or her confession, or on the evidence of any one or more credible witness or witnesses upon oath (which oath such justices are hereby empowered to administer), any such penalty shall not be forthwith paid, it shall and may be lawful to and for such justices to levy the same by distress, and for want of distress to commit every such offender to the common gaol, there to remain without bail or mainprize for any time not exceeding 20 days, unless such penalty, and all reasonable charges attending the recovery thereof, shall be sooner paid; and all such penalties, when so recovered and levied as aforesaid, shall be paid into the public treasury, to be applied to the general uses of the Colony.

— No. 19. —

Antigua.

No. 19.

AN ACT for establishing a new System of Police, and for increasing the Power of the Magistracy of this Island in the Appointment of Rural Constables, and for providing and regulating a House of Correction.—(Passed 31st July 1834).

Preamble.

WHEREAS it is highly expedient and necessary that the police establishment of this Island, and the laws regulating the same, should be altered and modified, so as to render them more suitable to the changes in the social condition and circumstances of the Colony, consequent on the entire abolition of slavery, from and after the 1st day of August next:

May

May it therefore please Your Most Excellent Majesty, that it may be enacted, and be it enacted, by the Governor and Commander-in-Chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and the Council and Assembly of this Your Majesty's Island of Antigua, and it is hereby enacted and ordained, by the authority of the same, that the several laws, establishing and regulating the police now in force in this Island, shall, from and after the 1st day of August next, be repealed, and the same are hereby repealed and declared void and of none effect.

All laws regulating the police now in force, repealed.

2. And be it enacted and ordained, by the authority aforesaid, that his Excellency the Governor and Commander-in-Chief, or, in his absence, the Commander-in-Chief for the time being, shall select and, by commission or warrant under his hand and seal, appoint such able-bodied and discreet persons, between the ages of 21 and 45 years, as may appear to him to be properly qualified for their respective stations, to form a body of general police; that is to say,

Governor, by commission or warrant, to appoint able-bodied persons between 21 and 45 years of age, to form new police.

One superintendent, or chief inspector of police, who shall receive monthly out of the public treasury, for the services to be by him performed, a salary of 600 *l.* currency per annum.

Four assistant inspectors of police, who shall each receive, in like manner, a salary of 220 *l.* currency for his services.

Twenty serjeants or subordinate officers of police, who shall each, in like manner, receive a salary of 120 *l.* currency for his services.

And one clerk of police, who shall receive, in like manner, a salary of 200 *l.* currency for his services.

Composition of police: 1 superintendent, 600 *l.* currency, per ann.; 4 assistant inspectors, 220 *l.* per ann. each, and 20 serjeants or subordinate officers, at 120 *l.* per ann. each; 1 clerk, 200 *l.* per annum.

3. And be it enacted and ordained, by the authority aforesaid, that every member of such body of police shall, on his appointment, take the following oath: "I do swear that I will, to the utmost of my ability, faithfully execute the several duties as of police, in the preservation of the public peace, and in the prevention of all offences against the persons and properties of His Majesty's subjects, as is required of me by and under an Act of this Island, intituled, 'An Act for establishing a new System of Police, and for increasing the Power of the Magistracy of this Island in the Appointment of Rural Constables, and for providing and regulating a House of Correction.' So help me God." And it shall not be lawful for any member of such police to pursue any other occupation in life, or take any fee whatever, or other emolument, beyond his salary for the performance of any of the duties required of him.

Every member of police to take oath of office.

Form of oath.

Members of police to pursue no other occupation in life.

4. And be it enacted and ordained, by the authority aforesaid, that in the event of any vacancy by death, resignation or removal in this body of police, such vacancy shall, as promptly as possible, be filled up by a new appointment from his Excellency the Governor, or the Commander-in-Chief for the time being; and in the event of the incapacity, disobedience, insobriety or any misconduct on the part of any subordinate member of such police, it shall and may be lawful for the superintendent to report the circumstances to his Excellency the Governor, or Commander-in-Chief for the time being, who shall have power to cause the instant dismissal of such person or persons, and to make a new appointment in his or their room.

Vacancies by death, removal or resignation, to be filled up by new appointment by the Governor.

5. And be it enacted and ordained, by the authority aforesaid, that the persons composing such police shall wear such simple and unexpensive dress or uniform, or shall be distinguished by such badge or letters and numbers, on a conspicuous part of their dress, as his Excellency the Governor, or Commander-in-Chief for the time being, may be pleased to direct and appoint; and they shall each be furnished, at the public expense, with a suitable staff of office, and shall each be exempted from the performance of militia duties.

Police to wear such dress, uniform or badge as the Governor shall direct, and to be furnished with staff of office, to be exempted from militia duty.

6. And be it enacted and ordained, by the authority aforesaid, that the duties of the said police shall be to aid and assist the magistrates in the performance of their duties, and vigilantly to detect, arrest, apprehend and bring to justice all persons guilty of felonies, larcenies of all descriptions, misdemeanors and trespasses, as well as all rogues, vagabonds, idle and disorderly persons, and to suppress and prevent all tumults, riots, brawls, outrages and disorders, and all other offences of any kind soever against the public peace and laws of this Island.

Duties of police to aid and assist the magistrates, to apprehend all persons guilty of felonies, &c., all idle and disorderly persons, rogues, vagabonds, &c.

7. And be it enacted and ordained, by the authority aforesaid, that the superintendent of the said police shall be required to keep, for his exclusive use, two active and serviceable horses, to enable him to be constantly on the alert, to visit frequently the different posts or stations where any portion of such police may be placed, and to proceed as promptly as may be to any part of the Island; and he shall make such rules and orders for the interior government and discipline of the said body of police, taking care that each individual thereof performs the duty assigned him; and, if need be, he shall exercise the subordinate officers to the use of arms; and he shall report all particulars which may come under his observation relating to the preservation of the public peace, as often as may be required, to his Excellency the Governor, or Commander-in-Chief for the time being; and to enable such superintendent to act with more promptitude and decision on any particular emergency, he shall be named and appointed as one of His Majesty's justices in the several commissions of the peace for this Island; and it shall and may be lawful for the said superintendent, not only to command and control the persons composing such body of police, but at any time, as need may be, to put himself in communication with any other of His Majesty's justices of peace for this Island,

Superintendent of police to keep 2 active serviceable horses, to visit frequently out-stations, to frame rules for interior government of police, to exercise subordinate officers to the use of arms.

Superintendent to be in the several commissions of the peace; justices of the peace to co-operate, to call to his aid ordinary constables or rural constables.

Island, who are all hereby required to co-operate with him, and to give him every aid and information in their power in the lawful execution of his duties; and it shall and may be lawful for the said superintendent, at any time, to call to his aid and assistance any neighbouring constable or constables, whether the same be the ordinary constables of divisions appointed by His Majesty's justices in grand sessions, or the rural constables on neighbouring plantations, to be appointed under and by virtue of this Act, who are each and all hereby required to afford a ready and prompt assistance, and to obey any written or verbal summons by or on behalf of the said superintendent of police.

Each assistant inspector to act as chief or senior at his station.

8. And be it enacted and ordained, by the authority aforesaid, that each assistant of police shall act as the chief or senior officer at the particular station to which he may be appointed, under the supervision and direction nevertheless of the superintendent, who shall be regarded as the superior of the whole police department within the Island.

Every inspector and subordinate officer of police to have the same authority belonging to constables.

9. And be it enacted and ordained, by the authority aforesaid, that every assistant inspector and serjeant, or subordinate officer of police, shall have the authority appertaining generally to the office of constable, and each and every of them shall have the same power and authority in executing all warrants, summonses and other orders of magistrates generally, as any other constable duly appointed and sworn by virtue of any law or usage now in force.

Clerk of police to be stationed in St. John's; to attend sitting magistrates, to keep record of all convictions.

10. And be it enacted and ordained, by the authority aforesaid, that it shall be the duty of the clerk of police, who shall always be stationed in St. John's, to attend the sittings of any magistrate or magistrates before whom any offenders may be brought for examination by the agency of the police, to make out the necessary summonses, warrants and commitments, to file and preserve all documents and correspondences relating to matters of police, all notes and particulars of written examinations, to assist the clerk of the Crown and public prosecutor in preparing all criminal cases for trial, and to keep a register in a book of large size and strongly bound, in which shall be set down the date of any particular complaint or offence charged, the name of the party accused and party by whom accused, together with any general remarks which may promise to be useful in the investigation of any future charges or complaints.

Principal station, or head-quarters, to be the town of St. John, at the old gaol, to be repaired for such purpose.

11. And be it enacted and ordained, by the authority aforesaid, that the principal station, head-quarters or rendezvous of the said police department shall be in the town of St. John, at the public building formerly occupied as the common gaol, and to which the present police officers shall be annexed, and which shall immediately undergo sufficient repair for this purpose, and have suitable places for the temporary confinement of offenders taken into custody, and detained for examination before the justices; reserving nevertheless, in the said public building, suitable apartments for the use and accommodation of the sitting magistrates, or any other magistrates before whom parties may be brought for examination, or who may be engaged in any judicial proceedings appertaining to their offices; and the said police apartments shall be provided, at the public expense, with such seats, benches, tables, arms and arm-racks as may be required, and with at least two good lamps, which shall always be kept burning during the hours of darkness, at the public cost; and the arms to be provided shall consist of at least one fusil or blunderbuss, with appropriate belts and pouches, one pair of pistols, and one sword or cutlass, for each member of police, with an adequate supply of requisite ammunition, which said arms shall at all times be kept clean and in perfectly serviceable order and repair; and such station in St. John's shall be the centre of an intimate and constant communication with the other police offices on all matters relating to the disturbance of the public peace, and to the commission of all offences of a serious character.

Each member of police to be furnished with 1 fusil or blunderbuss, with belts and pouches, 1 pair pistols and 1 cutlass, with ammunition, &c.

Ordinary strength of police in St. John's, 1 assistant inspector, and 8 subordinate officers.

12. And be it enacted and ordained, by the authority aforesaid, that the ordinary strength of the police force at St. John's shall consist (exclusive of the superintendent) of one assistant-inspector and eight subordinate officers.

Besides general and extended constabulary duties, members of police in St. John's to patrole the streets, lanes, wharfs, &c., and to apprehend all suspicious persons, and commit them to the watch-house.

13. And be it enacted and ordained, by the authority aforesaid, that over and above the more general and extended constabulary duties contemplated by this Act, the members of the police station in St. John's shall be required, as far as their numbers may permit, to keep watch and ward, and shall visit and inspect the different precincts, streets, lanes, wharfs, purlieus and outskirts of the said town, patrolling at such hours and successive intervals during the day and night, and in such rotation as the superintendent of police may think fit to direct, in order to the prevention and detection of all felonies, burglaries, firing of buildings, robberies, larcenies, affrays of persons, outrages and disorders, or injuries to property of any kind, as well as to apprehend all night-walkers, rogues, vagabonds and other idle, disorderly, lurking and suspicious persons, and to lodge all such as may be so taken into their custody at the watch-house or apartment allotted for that purpose within the police station, till their several offences be inquired into, and determined on by the sitting magistrate, or any other magistrate appointed for the town or district of St. John.

Police in St. John's to apprehend all persons at any time selling or bartering sugar canes, and all other articles, contrary to the law for abolishing Sunday markets, all persons riding or

14. And be it enacted and ordained, by the authority aforesaid, that the said police stationed in St. John's shall be and are hereby authorized to apprehend all persons at any time selling, bartering or disposing of sugar canes, all persons selling, bartering or disposing of articles contrary to the spirit and intent of the law of this Island for the abolition of the Sunday markets, all persons furiously or improperly riding or driving in the streets, all carters who may be found riding on their carts, or who may not have the owner's name or initials,

or

or the plantation to which the same belong marked legibly on the same, all persons flying kites, playing with bat and ball, or other games whereby horses may be startled, or persons committing any nuisances, dangerous or unsuitable for the public streets; and such police officers shall detain any such offender or offenders, and carry him, her or them with as little delay as possible before the sitting magistrate, or any magistrate, who, on due conviction on oath of any such offender or offenders, shall have authority to fine him, her or them in a sum not exceeding 5 *l.*, or, in default of immediate payment thereof, to commit the offender or offenders to the common gaol or house of correction for a period not exceeding 21 days, unless the said fine be sooner paid.

driving furiously in the streets, all carters riding on their carts, all persons flying kites or playing at bat and ball, &c.; offender to be carried before sitting magistrate; on conviction, offender to be fined 5 *l.* and in default of payment, to commit to gaol or house of correction for 21days, *maximum*.

15. And be it enacted and ordained, by the authority aforesaid, that the police on duty in St. John's shall be required to take up all animals straying or feeding in the public streets, and which by law may be liable to be pounded, and at any time after three days public notice may destroy all hogs found loose in the public streets.

Police in St. John's to take up all animals straying or feeding in the public streets, and after three days notice to destroy all hogs found loose upon the streets.

16. And be it enacted and ordained, by the authority aforesaid, that two other stations of police shall be formed and established; one in the town of Falmouth or English Harbour, or in the immediate vicinity thereof, and the other in the town or vicinity of the town of Parham; and until suitable and convenient buildings can be erected or provided for such purposes, houses shall be hired at the public expense, not exceeding 100 *l.* per annum, each having contained therein, adjoining or attached thereto, secure and commodious apartments for the temporary safe custody of offenders apprehended by the said police, and intended to be brought to justice by them.

Two other stations of police, one at Falmouth or English Harbour, and the other at Parham; houses to be provided at the public expense, not exceeding 100 *l.* per annum each.

17. And be it enacted and ordained, by the authority aforesaid, that the ordinary establishment at each of the last-mentioned stations shall consist of one assistant inspector and four serjeants or subordinate officers of police, who, besides their staves, shall be provided with arms, accoutrements and ammunition as are hereinbefore specified; and the said members of police shall be subject to the like control and regulations as those in St. John's; and from them shall be required the same duties and observances, as far as the local circumstances of the station may render practicable or expedient, taking all offenders who may be apprehended by them for examination before any one or more of the nearest of His Majesty's justices of the peace, two or more of whom shall, if to them it seem more convenient, associate themselves and sit on some stated day of the week in petty sessions, for the purpose of hearing and determining on such matters as may be brought before them by the said police.

Ordinary establishment at each station to be, 1 assistant inspector, and 4 serjeants or subordinate officers, to be furnished with arms, &c., in like manner as the police in St. John's, and to perform the same duties.

18. And be it enacted and ordained, by the authority aforesaid, that another station of police shall be formed and established at the Old Road, either at the Old Road Fort, or at Johnson's Point Fort, or both, the buildings of which, if not already suitable to the purpose, shall receive such requisite alterations as may render them more commodious, unless a more suitable and convenient position can be obtained in lieu thereof, under the authority of his Excellency the Governor, in Bermudian Valley or New Division; and the ordinary establishment at such station shall consist, in like manner, of one assistant inspector and four serjeants or subordinate officers of police, who shall be subject to the same control, regulations, and the performance of the same duties in the active preservation of the public peace, and in the prevention and suppression of all crimes and offences against the laws of this Island, as is hereby required from all other members of the department of police; and on apprehending any offender or offenders against the public peace or laws of this Island, they shall take them, as promptly as possible, before any one or more of the nearest of His Majesty's justices of the peace, two or more of whom shall have authority, if to them it seem more convenient, to associate themselves, on any stated day of the week, in petty sessions for hearing and determining all such matters as may be brought before them by the said police.

One other station of police to be at the old road, either at Old Road Fort or Johnson's Point Fort, under the authority of the Governor, to consist of 1 assistant inspector and 4 serjeants; duties the same as other members of police.

19. And be it enacted and ordained, by the authority aforesaid, that there shall be provided, at the public expense, books, to be kept at the several out-stations of police, for the due recording of all proceedings within their cognizance respectively; and on the assistant inspectors thereat shall devolve the duties of clerk to the station.

Books, at the public expense, to be provided for each station. Proceedings to be recorded.

20. Provided always, and be it enacted, that nothing herein contained shall be construed to prevent the superintendent of police from changing or shifting temporarily the out-stations of police as events or circumstances may seem to require, and as quarters for their accommodation can elsewhere be procured, as well as to withdraw or draft from any station, with the view of augmenting the strength at any other station, as well as at any time to relieve and change the individual members of police from one post to another, as to the said superintendent may seem fit and proper.

Superintendent may change out-stations as events occur, as well as withdraw or draft from any to augment the strength at any other station, as well as to relieve and change any individual member of police.

21. And be it enacted and ordained, by the authority aforesaid, that in the event of its appearing expedient to his Excellency the Governor or Commander-in-chief for the time time being, on the representation of the superintendent or chief officer of police, that any one of the out-stations should be removed to any other part of the country, or that any number of the persons composing the police establishment should be detached and posted in any other part of the Island, his Excellency shall be and is hereby authorized to hire or rent suitable houses or quarters for their accommodation and lodging, at a rate not exceeding 100 *l.* currency per annum for each, which sum the public treasurer shall be and is hereby authorized to pay.

Governor empowered, on the representation of superintendent, to remove any out-station to any part of the country, and to hire or rent suitable quarters at public expense, not exceeding 100 *l.* per annum.

Present substituted police to perform all the duties required from the pre-existent police under the Alien Act. Book to be kept at each station for registering the names of aliens.

22. And whereas an Act of this Island was passed on the 16th day of July 1823, intituled, "An Act for preventing Aliens of dangerous Principles from residing in this Island, and for establishing other Regulations for the Security of the Inhabitants," the chief duties of which Act were thereby imposed on the then existing police establishment: And whereas strangers were then made, and still continue to be subjected to certain rules and regulations therein laid down as necessary for the public welfare: And whereas by this Act that police is hereinbefore declared to cease to have existence; Be it therefore, and it is hereby enacted and ordained, by the authority aforesaid, that the present substituted police shall do and perform all the duties heretofore required from the pre-existent police, the duties of which shall merge into the new system of police established by this Act; and that a book shall be kept at each station for the registering of the names and domiciles of all aliens, agreeable to the provisions contained in the former before-mentioned Act; and the whole of the other duties therein prescribed to said police shall be devolved on the police established under this Act.

In every case where complaint is made before a magistrate against any person, magistrate to demand 6 *s.* for his warrant.

23. And whereas it frequently happens that complaints are exhibited before the magistrates of the said Island which turn out upon investigation to be very frivolous and vexatious; Be it and it is hereby enacted, by the authority aforesaid, that in every case where a complaint is made against any person or persons, that the magistrate or magistrates to whom such complaint is made shall demand as a remuneration for his or their trouble, for issuing the warrant and hearing the complaint, the sum of 6 *s.*

If person complained against found to be in error, party to pay 12 *s.*, and complainant reimbursed the 6 *s.* paid for the warrant.

24. And be it further enacted, that if upon hearing the complaint in any case, the person or persons so complained against shall be found to have been in error in any degree, that then and in such case, whether they be bound over to appear to answer to such complaint at the next Court of King's Bench and grand sessions of the peace, or other sessions of the peace, to be holden for the said Island, or the complaint dismissed upon reprimand or otherwise by the said magistrate or magistrates, that he or they shall order or direct that the said party so complained against or found in error, shall immediately, and before departure from the presence of the said magistrate or magistrates, reimburse to the said complainant the said sum of 6 *s.* so paid for obtaining the warrant to appear and answer to the said complaint, and shall also pay to the said magistrates the further sum of 6 *s.*, making together the sum of 12 *s.*; if otherwise, the said sum of 6 *s.* paid for issuing the warrant and hearing the complaint, to be borne by the complainant.

Party complained against refusing to pay such sum of 12 *s.*, to be committed to common gaol for 7 days.

25. And be it enacted and ordained, by the authority aforesaid, that should the party complained against refuse to pay, under the circumstances aforesaid, the said sum of 12 *s.*, when so ordered and directed, the said magistrate or magistrates are hereby authorized and directed to commit him, her or them so contemptuously refusing, to the common gaol, there to remain for the space of seven days or until the said sum of 12 *s.* be fully paid and satisfied.

Any two justices, on the request and recommendation of owner or director of plantation, whereon may be living 100 persons, labourers and their families, to appoint under their hands 2 persons out of that number, or 1 person if under 100 and not less than 50, to act as constables or constable on such plantation. Same powers incident to the office of constable.

26. And be it enacted and ordained, by the authority aforesaid, that it shall and may be lawful for any two of His Majesty's justices of the peace, on the request and recommendation of the owner or director of any plantation whereon may be domiciliated the number of 100 persons, labourers, and their families, to appoint by precept in writing, under their hands respectively, two persons out of that number, or one person if under 100, and not less than 50, to act as constables or constable on such plantation, which constables or constable shall have and are hereby declared to be invested with all the powers and authorities incident and belonging to the office of constable generally, and as such shall and may act, if need be, in the performance and prosecution of his or their duty as fully and effectually on any other plantation as on the particular one for which he or they may have been appointed, in preserving the public peace, and apprehending all offenders against the same, and in preventing or suppressing all tumults, riots, trespasses, misdemeanors and felonies; and such magistrates are hereby empowered to administer to all such persons so appointed, the following oath; viz.

Form of oath to be taken by constables.

"I. *A. B.*, do swear, that I will well and truly serve our Sovereign Lord the King in the office of rural constable for the plantation called ———— and as constable generally, if need be, without favour or affection, malice or ill-will; and that I will to the best of my power cause the peace to be kept and preserved, and prevent all offences against the persons and properties of His Majesty's subjects, and that while I hold the office, I will, to the best of my skill and knowledge, discharge all the duties thereof. So help me God."

Not to prevent justices from appointing special constables when necessary.

Provided always, that nothing in this Act contained shall alter, affect or abridge any power or authority which by law appertains to any justice or justices of the peace to appoint special constables in cases of actual necessity.

Constables appointed and sworn, to be enrolled in the office of clerk of the vestry of the parish, and list thereof published every half year. Constable to be furnished, at expense of plantation, with staff of office.

27. And be it further enacted, that every such constable so appointed and sworn shall, on the requisition of the justice making such appointment, be enrolled in the office of the clerk of the vestry of the parish in which the plantation for which such constable may be appointed shall be situated, which clerk of the vestry shall, and he is hereby directed to publish in one of the newspapers of this Island, half yearly, a list of such constables so appointed; and such constable shall, at the expense of such plantation, be provided with a staff of office, and every staff so supplied shall bear the name of the plantation to which the said constable is appointed, in addition to the usual marks, which staff shall be given up to the owner or director of the plantation whenever any constable so appointed removes from it; which removal, whenever the same shall occur, shall be deemed and taken to be a removal from

office,

office, so as to give the magistrates aforesaid the opportunity of making a fresh appointment to the office so vacated.

Constable to receive 4 *s.* 6 *d.* for executing justice's warrant, and 9 *d.* per mile.

28. And be it further enacted, that every such constable shall, for every warrant under hand and seal which he may execute, be entitled to receive from the public treasury the sum of 4 *s.* 6 *d.* for the caption, and 9 *d.* per mile for every mile such constable shall convey the person apprehended to the magistrate issuing the warrant, and from thence to his ultimate destination.

Gross dereliction or wilful neglect of duty by constable, to be inquired into by magistrate, and upon conviction dismissed from office.

Dismissal of constable not to prevent remedy at law by party aggrieved.

29. And be it further enacted, that all gross dereliction or wilful neglect of duty on the part of such constable or constables shall be inquired into by the magistrate or magistrates of the division, and that on conviction before him or them, it shall be in the power of such magistrate or magistrates to dismiss from office the person or persons who may be so convicted before him or them: provided always, that such conviction and dismissal shall not prevent, lessen or impeach, any remedy at law which any party aggrieved by any such offence of such constable might or would have had if such conviction and dismissal had not taken place.

Rural constables not required to attend any of the courts, unless summoned.

30. Provided nevertheless, and it is hereby further enacted, that nothing herein contained shall be construed to extend to require the attendance of such constables at the Court of King's Bench and grand sessions of the peace, or at any other courts held for the said Island, unless specially summoned thereto.

Until provision made for the erection of houses of correction in the several parishes, south wing of New Gaol to be central house of correction.

Tread-wheel, and other machinery, to be provided at the public cost.

31. And be it further enacted and ordained, by the authority aforesaid, that until full and adequate provision shall be made for the erection and maintenance of houses of correction in the different parishes, or other convenient districts of the said Island, there shall from and after the 1st day of August next be established a central house of correction at the New Gaol, near the town of St. John, for the reception and confinement of such rogues, vagabonds, idle and disorderly persons, and such other persons as may be committed by any of His Majesty's justices of the peace under the authority of any Act of this Island to such house of correction; and that there shall be provided therein, at the public cost, a tread-mill or tread-wheel, and such other machinery, materials and implements as may be necessary to set on work on such tread-mill or tread-wheel, or in the breaking or hewing of stones, in picking oakum, or any other suitable, customary or eligible manner, all such persons as for their several offences may by any such justice or justices be committed to such house of correction and sentenced to hard labour.

South wing of New Gaol to be enclosed with thick wall, with door of communication with the gaol yard.

32. And be it enacted and ordained, by the authority aforesaid, that to extend and enlarge the before-mentioned New Gaol near St. John's, so as to afford the necessary additional space and accommodation which will be required therein in consequence of the present enactment, the unoccupied southern wing of the range of buildings wherein the said gaol is comprised, and which has hitherto been reserved for an hospital and public dispensary, shall be connected with the said gaol by opening a door of communication with the gaol yard, and the whole of the said southern wing shall likewise be inclosed with a secure and substantial wall at the public expense.

Justices assembled at grand sessions to appoint 3 of their number to act as visitors of house of correction; to visit at least four times a year, or oftener, and to report to next grand sessions; to frame rules and regulations, &c.

33. And be it enacted and ordained, by the authority aforesaid, that the justices assembled at the grand sessions of the peace to be next holden for this Island shall appoint three justices of their number to act as visitors of the house of correction, who shall visit and inspect the same four times a year, or oftener if need be, and report the state thereof to the next sessions, and shall draw up such orders and rules for the proper governing and regulating the said house of correction, for keeping the prison wholesome and clean, for receiving, separating, (according to their sex or the nature of their offences), dieting, clothing, relieving, employing, reforming, managing, punishing and watching of all such persons as shall be sent to, confined or continued in the same, and may also examine into the behaviour and conduct of the officer or officers, and treatment of the prisoners, as may occur to their observation; but such rules and orders so to be made shall not begin to have force and effect till they have been submitted to the justices in sessions and duly confirmed by them, when such rules and regulations shall be printed in plain legible characters, and fixed in some conspicuous part of such house of correction: provided nevertheless, that the following shall form part of such rules and regulations, and shall be observed and enforced at the said house of correction until added to and rendered more copious by such visitors and bench of justices aforesaid; viz.

Rules to form part, and to be added to rules framed by justices.

1st. That the several persons who shall be committed to the house of correction to be kept to hard labour shall be employed (unless prevented by ill health) every day during their confinement (except Sundays, Christmas-day and Good Friday) for so many hours as the day-light will admit, not exceeding 12 hours, being allowed thereout to rest half an hour at breakfast, an hour and a half at dinner, and that the intervals shall be noticed by the ringing of a bell.

2d. That the master of the house of correction shall adapt the various employments which shall be directed by the justices at sessions to each person in such manner as shall be best suited to his or her strength and ability, regard being had to age and sex.

3d. That the males and females shall be employed, and shall also eat and be lodged in separate apartments, and shall have no intercourse or communication with each other.

4th. That every person so committed shall be sustained with bread, or any coarse but wholesome food, and water; but persons under medical care shall be sustained with such food and liquor as the medical attendant shall direct.

5th. That the master and such other persons, if any, as shall be employed by the justices to assist the master, shall be very watchful and attentive in seeing that the persons so committed are constantly employed during the hours of work, and if any person shall be found remiss or negligent in performing what is required to be done by such persons, to the best of his or her power and ability, or shall wilfully do any waste, spoil or damage of any kind soever, the master shall punish every such person in the manner hereafter directed.

6th. That if any person so committed shall refuse to obey the orders given by the master, or shall be guilty of profane cursing and swearing, or of any indecent behaviour or expression, or of any assault, quarrel or abusive words to or with any other person, he or she shall be punished for the same in the manner hereafter directed.

7th. That the master shall have power to punish the several offenders as before described, by close confinement, and shall enter in a book, to be kept by him for the inspection of the justices at sessions and the visiting justices, the name of every person who shall be so punished by him, expressing the offence and duration of the punishment inflicted.

Justices assembled at grand sessions to appoint a fit person to be keeper of house of correction; to receive 200 *l.* per annum.

34. And be it enacted and ordained, by the authority aforesaid, that the justices assembled in grand sessions shall appoint a fit person to be the master or keeper of such house of correction, who shall receive quarterly, out of the public treasury, the yearly salary of the sum of 200 *l.*; and the said master or keeper shall give to the justices, if it seem proper, sufficient security for the continuance and performance of his services and duty.

Until justices shall assemble at grand sessions, Governor to appoint keeper of house of correction *ad interim*.

35. And be it enacted and ordained, by the authority aforesaid, that until His Majesty's justices shall be assembled in grand sessions, his Excellency the Governor shall have power and authority to nominate and appoint a master or keeper of such house of correction *ad interim*, who shall receive a remuneration for his services at and after the rate of the abovementioned sum per annum of 200 *l.*

Act to be in force for two years from publication.

36. And be it further enacted, that this Act shall be and continue in force for the space of two years from the publication thereof, and thenceforward to the next meeting of the Council and Assembly of this Island.

— No. 20. —

Antigua.

No. 20.

AN ACT for enabling Labourers, Artificers and Servants, to recover by Summary Process their Wages from their Employers, and for repealing an Act dated the 28th of October, in the year 1684, intituled, "An Act for enabling Artificers, Labourers and Servants to recover their Wages from their Masters."—(Passed 31st July 1834.)

Preamble.

WHEREAS from the change of circumstances in this Island, the provisions of an Act thereof, passed on the 28th day of October, 1684, "for enabling artificers, labourers and servants to recover their wages from their masters," have been rendered inadequate to the end therein contemplated:

And whereas from the alteration in the condition of the labouring classes in this Island about to take place, some enactment for the like purpose and effect will become highly necessary and expedient:

We, therefore, Your Majesty's most dutiful and loyal subjects, the Governor and Commander-in-chief in and over Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and the Council and Assembly of this Your Majesty's Island of Antigua, do humbly pray Your Most Excellent Majesty that it may be enacted and ordained, and be it and it is hereby enacted and ordained, by the authority of Your Majesty's said Governor and Commander-in-chief, and the Council and Assembly of this Your Majesty's Island of Antigua aforesaid, that it shall and may be lawful for any one of His Majesty's justices of the peace in this Island, on complaint to him made on oath by any artificer, labourer or servant therein, of the withholding from any such artificer, labourer or servant, of the just wages due to him or her, on any contract or agreement from any person or persons by whom he or she shall have been employed, to call before him such person refusing or neglecting to make satisfaction, and if, upon hearing and examining such person on oath, it shall appear to the said justice that any such wages are due and owing, or on an adjustment of claims between the parties, that any balance of wages is due or owing, such justice is hereby authorized to order the same to be paid to such artificer, labourer or servant within 10 days after order made, and if such order be not complied with, or in case of the party complained against having neglected to appear after being duly summoned by such justice, it shall be lawful for such justice to issue his warrant, directed to any constable of the division, authorizing and directing him to levy on the goods and chattels of any such person making default as aforesaid, and them to sell in satisfaction thereof, and of all costs and charges: provided always, that such complaint be made within 30 days from the time any part of such wages shall be due, and that such wages do not exceed the sum of 5 *l.* current gold and silver money; any law, custom or usage to the contrary notwithstanding.

Any one of the justices of the peace, on complaint made to him, on oath, of the withholding from any artificer, labourer or servant, his or her just wages, to call before him such person neglecting to make satisfaction, and upon hearing if wages are due, to order payment within 10 days; order not complied with, or party neglecting to appear, justice to issue warrant to constable of the division to levy on the goods and chattels of party, and sell in satisfaction, with costs.

Proviso; complaint to be made within 30 days, and sum not to exceed 5 *l.* currency.

2. And

2. And be it further enacted, that from and after the publication of this Act, an Act of the said Island, dated the 28th of October, in the year of Our Lord 1684, intituled "An Act for enabling Artificers, Labourers and Servants to recover their Wages from their Masters," shall be and the same is hereby repealed.

Act of the 28th October 1684, "for enabling artificers, labourers, &c. to recover their wages," repealed.

— No. 21. —

Antigua.

AN ACT for regulating Special Contracts between Labourers and their Employers, and enforcing a strict Observance of such Contracts.—(Passed 29th Dec. 1834.)

No. 21.

WHEREAS it is essential to the prosperity of this Island that special contracts between labourers and their employers should be properly regulated, and all breaches of the same by either party be promptly redressed by means of summary convictions. May it therefore please Your Most Excellent Majesty, that it may be enacted, and be it enacted by the Governor and Commander-in-chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and the Council and Assembly of this Your Majesty's Island of Antigua, and it is hereby enacted and ordained, by the authority of the same, that special contracts between labourers and their employers in this Island shall not be valid if made to endure for more than one year, and unless the same shall be made or entered into in writing or otherwise, in the presence of two or more witnesses.

Special contracts with labourers not valid, if made for a term exceeding 12 months; nor unless entered into in the presence of two or more witnesses.

2. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment, even with reasonable cause, shall forfeit for the benefit of his or her employer the wages which shall have accrued during the time of such absence.

Labourers under contract to forfeit wages accrued during absence, even with reasonable cause.

3. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment with reasonable cause, and not give to his or her employer the earliest possible intimation of such intended absence and of the cause thereof, shall forfeit for the benefit of his or her employer twice the amount of the wages which shall have accrued during the time of such absence.

Labourer under contract failing to give employer the earliest information of intended absence, to forfeit twice the amount of wages accrued during such absence.

4. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment with reasonable cause for half or any smaller proportion of a day, shall forfeit a whole day's wages for the benefit of his or her employer.

Labourer under contract absenting himself without reasonable cause for half or smaller portion of a day, to forfeit whole day's wages.

5. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment without reasonable cause for more than half a day, shall forfeit three days' wages for the benefit of his or her employer.

Labourer under contract absenting himself without reasonable cause for more than half a day, to forfeit three days' wages.

6. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment without reasonable cause for two successive days, or on two distinct days within the same fortnight, shall, on conviction on oath before one or more of His Majesty's justices of the peace, be sentenced to hard labour in the house of correction for one week.

Labourer under contract absent without reasonable cause for two successive days, or two days within the fortnight, to suffer one week's confinement with hard labour in the house of correction.

7. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall absent himself or herself from his or her employment without reasonable cause for three or more successive days, or on three distinct days within the same fortnight, shall, on conviction on oath before one or more of His Majesty's justices of the peace, be sentenced to hard labour in the house of correction for two weeks.

Labourer under contract absenting without reasonable cause for three days, to suffer confinement with hard labour in house of correction for two weeks.

8. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall neglect to perform any labour for which he or she shall have so engaged himself or herself, or who shall perform the same in a negligent and improper manner, or who shall by wilful negligence damage the property of his or her employer, shall, on conviction on oath before one or more of His Majesty's justices of the peace, for the first offence, forfeit for the benefit of his or her employer any number of days' wages not exceeding six, and for the second offence shall be subject to imprisonment and hard labour for any time not exceeding one week, and for the third or any future offence, to three times that amount of punishment.

Wilful damage to employer's property, or negligent manner of performing contract, punishable by imprisonment and hard labour for six days, *maximum*; second offence, one week; and future offence, three times that amount.

9. And be it further enacted, that any labourer bound by any special contract entered into in the manner and form hereinbefore prescribed, who shall be convicted on oath before one or more of His Majesty's justices of the peace of endangering the property of his or her employer, or of any other person, by the careless use of fire or of drunkenness, or of ill-using any cattle or other stock, or of wantonly destroying or injuring the property of his or her employer intrusted to his or her charge, or of failing to provide, according to his or her ability

Labourer under contract, endangering property by careless use of fire or drunkenness, or ill-using cattle, &c., or wantonly destroying property, or failing to provide for his or her

infant children, liable to imprisonment and hard labour for three months, *maximum*.

ability, for his or her infant children, shall for any such offences, at the discretion of the justice or justices of the peace before whom he or she shall or may be so convicted, be adjudged to imprisonment and hard labour for any term not exceeding three months.

Wages accruing during imprisonment forfeited to employer.

10. And be it further enacted, that during the imprisonment of any such labourer, all wages which according to his or her contract would have accrued to him or her, shall be forfeited for the benefit of his or her employer.

Ill-usage or nonpayment of wages on the part of employer, or imperfect fulfilment of contract, liable to penalty of 10*l.*; and in case of ill-usage, labourer to be released from contract.

11. And be it further enacted, that in the event of ill-usage, or of the wages for which the employer shall have contracted being unpaid or in arrear, or if any other part of the contract shall be unfulfilled on the part of the employer, it shall be lawful for any one or more of the labourers, not exceeding three, on behalf of himself, herself or themselves, and the other aggrieved parties, to complain to any justice of the peace in the parish of such ill-usage or breach of contract, and that it shall be lawful for such justice of the peace to adjudge the employer to the payment of the wages in arrear with costs, and a penalty not exceeding 10*l.* for the breach of contract, and in case of ill-usage, to discharge the labourer from his or her contract.

Persons employing labourer who may be already under contract, or in the occupation of a house on the estate of his employer, after due notice shall have been given of such pre-existing contract, to forfeit 10*l.* for each offence.

12. And whereas it is highly desirable that servants in husbandry should, as far as may be practicable, be associated in labour and located on the same estates; and it is both impolitic and unjust towards their present employers, as well as injurious to themselves, that they should be allowed to be seduced by the temptation of a temporary increase of wages held out to them by any other proprietor, with a particular object, to desert the estates to which they are attached, and where they enjoy the more solid advantage of permanent employment with a comfortable place of abode; Be it therefore further enacted, that if any person shall knowingly employ any servant in husbandry who shall either be under contract to another person, or retain the occupation of a house upon the estate of such other person, or if any person shall continue to employ any servant in husbandry so under contract to another, or so retaining the occupation of a house upon the estate of such other person, after receiving due notice of the relation in which such servant in husbandry stands towards such other person, the person so offending shall, on conviction on oath before any one or more of His Majesty's justices of the peace, forfeit for every offence the sum of 10*l.*, to be recovered and applied in the manner hereinafter mentioned.

Costs and penalties recoverable in same manner as prescribed by other Acts, and to be paid into public treasury.

13. And be it further enacted, that all wages and costs so adjudged to be paid, and all penalties imposed by this Act, shall be recovered in the manner prescribed for the recovery of penalties imposed by any other Act of this Island, and such penalties paid into the public treasury.

Nothing in this Act to invalidate verbal agreements for labour by the day or by the job, where parties have mutual confidence in each other, and content to forego legal remedies for non-performance.

14. Provided always, and be it further enacted, that nothing herein contained shall be construed to invalidate or interdict verbal agreements for labour by the day, or by the piece, task or job, with persons not already under contract as aforesaid, and where the contracting parties are content to forego the benefit of a legal remedy for non-performance, and place a mutual reliance on the good faith and integrity of each other for the due fulfilment of such agreements.

Mechanics and headmen, watchmen and stock-keepers, included in the term labourer.

15. And be it further enacted, that all persons who have not been trained to any employment but that of labour in the fields, or in the manufactories, all persons who have been trained to labour as smiths, wheelwrights, carpenters, or otherwise, as mechanics and artisans, and all persons who have been accustomed to the occupation of headmen or drivers, in superintending the labour of slaves, stock-keepers and watchmen, shall be considered as labourers within the meaning and provisions of this Act.

This Act in force for one year.

16. And be it further enacted, that this Act shall continue and be in force for one year from the publication thereof, and from thence until the next meeting of the Council and Assembly.

— No. 22. —

Antigua.

No. 22.

AT the Court at St. James's, the 10th day of June 1835:—Present, The King's Most Excellent Majesty in Council.

WHEREAS by an Act passed in the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves;" after reciting, amongst other things, that it would be desirable that such of the provisions of the said Act as related to the internal concerns of the said respective Colonies should be enacted in such respective Colonies, so far as might be possible, by the authority of the several local legislatures of such Colonies respectively, it is enacted, that in case the Governor, Council and Assembly of any one or more of His Majesty's Colonies should, by any Act or Acts of General Assembly for that purpose made, substitute for the several enactments thereinbefore contained, or any of them, any enactments accomplishing the several objects in such thereinbefore contained enactments respectively contemplated, as fully and to the like effect, but in a manner and form better adapted to the local circumstances of any such Colonies or Colony; and in case His Majesty should, by any Order or Orders

Orders to be by him made by the advice of His Privy Council, confirm and allow any such Act or Acts of Assembly, and should, in and by any such Order or Orders in Council, recite and set forth at length the several provisions and enactments of the said Act of Parliament for which such other enactments as aforesaid should have been substituted by any such Act or Acts of General Assembly, then and in such case so much and such parts of the said Act of Parliament as should be so recited and set forth at length in any such Order or Orders of His Majesty in Council, should be suspended and cease to be of any force or effect in any such Colony from and after the arrival and proclamation therein of any such Order or Orders of His Majesty in Council, and should continue to be so suspended so long as any such substituted enactment should continue in force and unrepealed, and no longer:

And whereas the Governor, Council and Assembly of the Island of Antigua, have, by a certain Act of General Assembly for that purpose made, bearing date the 4th day of June 1834, substituted for such of the several enactments in the said Act of Parliament contained as relate to the apprenticeship of the labourers therein mentioned, certain other enactments accomplishing the several objects in the said last-mentioned enactments of the said Act of Parliament respectively contemplated, as fully and to the like effect as the same are accomplished by the said Act of Parliament, but in a manner and form better adapted to the local circumstances of the said Island of Antigua: Now therefore, in pursuance of the said Act of Parliament, and in exercise of the powers thereby in His Majesty in that behalf vested, His Majesty, by the advice of His Privy Council, doth confirm and allow the said Act of General Assembly; and it is further declared, by the authority aforesaid, that so much and such parts of the said Act of Parliament as are recited and set forth at length in the schedule hereto annexed, are the provisions and enactments of the said Act of Parliament for which such other enactments have been substituted by the said Act of Assembly; and His Majesty doth therefore, by the advice aforesaid, declare that so much and such parts of the said Act of Parliament as are so recited and set forth in the said schedule, shall be suspended and cease to be of any force and effect in the said Island of Antigua from and after the arrival and proclamation therein of this present Order, and shall continue to be so suspended so long as such substituted enactments shall continue in force and unrepealed, and no longer. And the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *William L. Bathurst.*

Note.—The sections suspended by this Order are the first 22 of the Act of Parliament 3d & 4th Will. IV. c. 73, for the Abolition of Slavery.

MONTSERRAT.

— No. 23. —

Montserrat.

AN ACT for the Abolition of Slavery in this Island.—(Passed 30th July 1834.)

WHEREAS by an Act of the 3d & 4th William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating Persons hitherto entitled to the Services of such Slaves," it has been rendered incumbent on us, in order to effectuate the views and intentions of His Majesty's Government, to pass an Act of this Island with similar enactments, and to confirm as far as we can the said Act: We, therefore, Your Majesty's dutiful and loyal subjects, the President administering the Government, and the Council and Assembly of this Your Majesty's Island of Montserrat, do pray Your Most Excellent Majesty, that it may be enacted, and be it and it is hereby enacted, by the authority aforesaid, that from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in this Island respectively, shall on or before the 1st day of August 1834 have been duly registered as slaves in the said Island, who on the said 1st day of August 1834 shall be actually within the said Island, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid, every slave engaged in his ordinary occupation on the seas shall be deemed and taken to be within the said Island.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if this Act had not been made.

3. Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been carried with the consent of their possessors, and all apprenticed labourers who may hereafter with the like consent be carried into any part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be absolutely and entirely free to all intents and purposes whatsoever.

4. And whereas it is expedient that all such apprenticed labourers should, for the purposes hereinafter mentioned, be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their

their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes; Be it therefore enacted, that such division as aforesaid of the said apprenticed labourers into such classes as aforesaid, shall be carried into effect in such manner and form, and subject to such rules and regulations as shall for that purpose be established under such authority, and in and by such Acts of Assembly as hereinafter mentioned: provided always, that no person of the age of 12 years and upwards, shall by or by virtue of any such Act of Assembly be included in either of the said two classes of prædial apprenticed labourers, unless such person shall, for 12 calendar months at the least next before the passing of this present Act, have been habitually employed in agriculture, or in the manufacture of colonial produce.

5. And be it further enacted, that no person, who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840, and that during such his or her apprenticeship no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship to perform any labour in the service of his or her employer or employers for more than 45 hours in the whole in any one week.

6. And be it further enacted, that no person, who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

7. And be it further enacted, that if, before any such apprenticeship shall have expired, the person or persons entitled for and during the remainder of any such term to the services of such apprenticed labourer, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do by any deed or instrument to be by him, her or them for that purpose made and executed, which deed or instrument shall be in such form, and shall be executed and recorded in such manner, and with such solemnities as shall for that purpose be prescribed under such authority, and in and by such Acts of Legislature as hereinafter mentioned: provided nevertheless, that if any person so discharged from any such apprenticeship, by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

8. And be it further enacted, that it shall be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship even without the consent or in opposition, if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the appraised value of such services, which appraisement shall be effected, and which purchase money shall be paid and applied, and which discharge shall be given and executed in such manner and form, and upon, under and subject to such conditions as shall be prescribed under such authority and by such Acts of Legislature as hereinafter mentioned.

9. And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island, and that no prædial apprenticed labourer who may in manner aforesaid become attached to the soil, shall be subject or liable to perform any labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any one or more justices of the peace, holding a special commission by virtue of the said hereinbefore recited Act of the 3d & 4th of William the Fourth, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers to transfer his or their services to any other estate or plantation within this Island to such person or persons belonging, which written consent shall in no case be given or be of any validity, unless any such justice or justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer, and such written consent to any such removal shall be expressed in such terms, and shall be in each case given, attested and recorded in such manner as shall for that purpose be prescribed by Acts of Legislature as hereinafter mentioned.

10. And be it further enacted and declared, that the right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to such rules and in such manner as shall for that purpose be provided by any Acts of Legislature as hereinafter mentioned: provided that no such apprenticed labourer shall by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject

or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

11. And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be and is and are hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances, as by any law now in force in this Island an owner is required to supply to and for any slave, being of the same age and sex as such apprenticed labourer shall be; and in cases in which the food of any such prædial apprenticed labourer shall be supplied, not by the delivery to him or her of provisions, but by the cultivation by such prædial apprenticed labourer of ground set apart for the growth of provisions, the person or persons entitled to his or her services shall and is or are hereby required to provide such prædial apprenticed labourer with ground adequate both in quantity and quality for his or her support, and within a reasonable distance of his or her usual place of abode, and to allow to such prædial apprenticed labourer, from and out of the annual time during which he or she may be required to labour, after the rate of 45 hours per week as aforesaid, in the service of such his or her employer or employers, such a portion of time as shall be adequate for the proper cultivation of such ground, and for the raising and securing the crops thereon grown, the actual extent of which ground, and the distance thereof from the place of residence of the prædial apprenticed labourer for whose use it may be so allotted, and the length of time to be deducted for the cultivation of the said ground from the said annual time, shall and may be regulated by such Acts of Legislature as hereinafter mentioned.

12. And be it further enacted, that subject to the obligations imposed by this Act, or to be imposed by any such Act of Legislature as hereinafter mentioned, upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within this Island, shall upon and from and after the said 1st day of August 1834 become and be to all intents and purposes free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted, and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished in this Island.

13. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in any such contingency; Be it therefore enacted, that if any child who on the said 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding any such special commission as hereinbefore mentioned, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that such person or persons aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers, and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid by the order of any such justice of the peace as aforesaid, shall, during his or her apprenticeship, be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other such apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child.

14. And whereas it is necessary that various rules and regulations should be framed and established for ascertaining with reference to each apprenticed labourer within this Island, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which, and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected, and for prescribing the form and manner in which, and the solemnities with which the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship, without or in opposition, if necessary, to the consent of the person or persons entitled to his or her services, shall be effected, and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of

of such appraisement shall in each case be paid and applied, and in what manner and form, and by whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded; and it is also necessary, for the preservation of peace throughout this Island, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for insuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourer, and for preventing the escape of any such apprenticed labourers during their term of apprenticeship from this Island: And whereas it will also be necessary for the protection of such apprenticed labourers as aforesaid, that various regulations should be framed and established in the said Island for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are hereinbefore declared entitled to receive, and for regulating the amount and quality of all such articles, in cases where the laws at present existing in this Island may not, in the case of slaves, have made any regulation or any adequate regulation for that purpose; and it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same: And whereas it is necessary, in those cases in which the food of any such prædial apprenticed labourers aforesaid may, either wholly or in part, be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour: And whereas it may also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers; and it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same; but it may be necessary, by such regulations in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake; and it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire; and it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice or other wrong or injury which may be done to, or inflicted upon, any such apprenticed labourers by the persons entitled to their services; and it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such indentures: And whereas it is also necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense in the discharge by the justices of the peace holding such special commissions as aforesaid, of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide, in a summary way, such questions as may be brought before them in that capacity, and for the division of the said Island into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties.

15. And be it further enacted and declared, that it shall and may be lawful for the Governor, Council and Assembly of this Island, to pass such Acts as may be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect.

16. Provided always, and be it further enacted, that it shall not be lawful for the Governor, Council and Assembly of this Island, to authorize any person or persons entitled to the services of any such apprenticed labourer, or any other person or persons other than such justices

justices of the peace holding such special commissions as aforesaid, to punish any such apprenticed labourer for any offence by him or her committed or alleged to have been committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatsoever, or by any addition to the hours of labour hereinbefore limited, nor to authorize any court, judge or justice of the peace, to punish any such apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person; and that every enactment, regulation, provision, rule or order for any such purpose, in any such Act contained, shall be and is hereby declared to be absolutely null and void and of no effect: provided always, that nothing in this Act contained doth or shall extend to and exempt any apprenticed labourer in the said Island from the operation of any law or police regulation which is or shall be in force therein for the prevention or punishment of any offence, such law or police regulation being in force against and applicable to all other persons of free condition.

17. Provided also, and be it further enacted, that it shall not be lawful for any magistrate other than such justice of the peace holding such special commissions as aforesaid, to take cognizance of any offence committed or alleged to have been committed by such apprenticed labourer, or by his or her employer, in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services; and every enactment, regulation, provision, rule or order in any such Acts to the contrary contained, shall be and is hereby declared to be null and void and of no effect.

18. And it is hereby further declared and enacted, that the special justice or justices to be appointed for this Island shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all such offences or alleged offences as last aforesaid, and of every such breach, violation or neglect of any of the aforesaid obligations, and of every such question, matter or thing as aforesaid, any law, custom or usage in this Island to the contrary in anywise notwithstanding: provided nevertheless, that nothing herein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

19. Provided also, and be it further enacted, that no apprenticed labourer shall by any such Act of Legislature be declared or rendered liable for and in respect of any offence by him or her committed, or for any cause or upon any ground or pretext whatsoever, except as hereafter is mentioned, to any prolongation of his or her term of apprenticeship, or to any new or additional apprenticeship, or to any such additional labour as shall impose upon any such apprenticed labourer the obligation of working in the service or for the benefit of the person or persons entitled to his or her services, for more than 15 extra hours in the whole in any one week; but every such enactment, regulation, provision, rule or order, shall be and is hereby declared null and void and of no effect: provided nevertheless, that any such Act of Legislature may contain provisions for compelling any apprenticed labourer who shall during his or her apprenticeship wilfully absent himself or herself from the service of his or her employer, either to serve his or her employer after the expiration of his or her apprenticeship for so long a time as he or she shall have so absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); but nevertheless, so that such extra service or compensation shall not be compelled after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

20. Provided always, and be it hereby further enacted, that neither under the provisions of this Act, nor under the obligations imposed by this Act, or to be imposed by any Act of Legislature, shall any apprenticed labourer be compelled or compellable to labour on Sundays, except in works of necessity, or in domestic services, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer be liable to be hindered or prevented from attending anywhere on Sundays for religious worship, at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

21. And whereas it may be expedient that persons in the condition of apprenticed labourers should during the continuance of such their apprenticeship be exempted from the performance of certain civil and military services, and be disqualified from holding certain civil and military offices, and from the enjoyment of certain political franchises within the said Island, and be exempted from being arrested or imprisoned for debt; Be it therefore enacted, that nothing in this Act contained extends or shall be considered to extend to interfere with or prevent the enactment by the respective Governor, Council and Assembly of this Island, for exempting any such apprenticed labourers as aforesaid, during the continuance of such their apprenticeship, from any such civil or military service as aforesaid, or for disqualifying them or any of them during the continuance of any such apprenticeships from the enjoyment or discharge of any such political franchise as aforesaid, or for exempting them during the continuance of such apprenticeships from being arrested or imprisoned for debt.

ST. CHRISTOPHER.

Appendix (B.)

Colonial Laws.
No. 24.

ST. CHRISTOPHER.

— No. 24. —

St. Christopher.

AN ACT for the Abolition of Slavery in this Island, and for the Establishment of a System of Apprenticeship for a limited time in lieu thereof.

Preamble.

We, Your Majesty's most dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, humbly reserving to ourselves the right of claiming all and all manner of compensation for all and every injury which may arise to the interests of this Island of St. Christopher, by the operation of an Act passed in the 3d & 4th year of His present Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," pray Your Majesty that it may be enacted,

All slaves within this Island on 1st August 1834, and who shall be of the full age of six years and upwards, shall become apprenticed labourers.

1. And be it and it is hereby enacted, by the authority of the same, that from and after the 1st day of August 1834, all persons who, in conformity with the laws now in force in this Island, shall, on or before the said 1st day of August 1834, have been duly registered as slaves in the said Island, and who, on the said 1st day of August 1834, shall be actually within the same, and who shall by such registry appear to be, on the 1st day of August 1834, of the full age of six years or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers: provided that, for the purposes aforesaid, every slave engaged in his ordinary occupation on the seas, and belonging to this Island, or who shall be absent from this Island against his or her master's or mistress's leave, or without his or her master's or mistress's consent, shall be deemed and taken to be within this Island.

Slaves absent from the Island without the owner's leave, and slaves employed on the seas, to be deemed to be within this Island.

Declaratory of the persons who shall be entitled to the services of apprenticed labourers.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer, as would for the time being have been entitled to his or her services as a slave if this or any other Act of the Legislature of this Island, or any Act of the Imperial Parliament of Great Britain and Ireland, for the abolition of slavery, had not been made.

Apprenticeship of prædials to continue to 1st August 1840.

3. And be it further enacted, that no person who, by virtue of this Act, or of any other Act of the Legislature of this Island, or of any enactment of the Imperial Parliament of Great Britain and Ireland, shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such his or her apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable, by virtue of such apprenticeship, to perform *any labour* in the service of his or her employer or employers, for more than 45 hours *in the whole in any one week.*

Not to be compelled to labour for more than 45 hours in each week.

Apprenticeship of non-prædials limited to 1st August 1838.

4. And be it further enacted, that no person who, by virtue of this Act, or of any other Act of the Legislature of this Island, or of any enactment of the Imperial Parliament of Great Britain and Ireland as aforesaid, shall become non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

Slaves declared to be free on the 1st August 1834, but subject to the obligations by law imposed on apprenticed labourers.

Children thereafter to be born to any such persons, and the offspring of such children, to be free from their birth.

5. And be it further enacted, that, subject to the obligations by law imposed upon apprenticed labourers, all and every the persons who, on the said 1st day of August 1834, shall be holden in slavery in this Island, shall, upon and from after the said 1st day of August 1834, become and be to all intents and purposes free and discharged of and from all and all manner of slavery, and shall be absolutely and for ever manumitted; and that the children there after to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished and declared unlawful within this Island.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thomas Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

—No. 25.—

Saint Christopher.

AN ACT for prescribing the Powers and Duties of Special Magistrates.

Preamble.

WHEREAS it is expedient that the special magistrates should be upheld in the discharge of their duties, and that all persons having occasion to resort to them should be put to the least possible expense on such occasions: We, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, pray Your Most Excellent Majesty that it may be enacted and ordained,

Special justices invested with the sole and exclusive jurisdiction over offences committed by or against apprenticed labourers.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that the several justices of the peace holding special commissions granted to them under and by virtue of a certain Act of the Imperial Parliament of Great Britain, made and passed in the 3d and 4th year of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves;" shall, within this Island, have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences or alleged offences committed by or against any apprenticed labourer for any cause, matter or thing connected with, or arising out of or from the relation of employer and labourer, any law, custom or usage to the contrary in anywise notwithstanding: provided nevertheless, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the superior courts of criminal and civil jurisdiction in this Island.

But the powers of the superior courts retained.

Special justices to visit every estate once in every fortnight, and oftener if necessary.

2. And be it further enacted, that every special stipendiary magistrate shall visit, and he is hereby authorized and empowered and directed once in every fortnight, or oftener if need be, to visit every plantation within his district, upon which ten or any greater number of apprenticed labourers shall be employed, there to take cognizance of any cases which may be brought before him, and for the purpose of observing the behaviour and condition of such apprenticed labourers.

Special magistrates to keep a journal of cases brought before them, in the form herein prescribed.

3. And be it further enacted, that every special magistrate shall keep a journal of all cases which may be brought before him, in which he shall enter; first, the date of the complaint; secondly, the name of the complainant; thirdly, the substance of the complaint; fourthly, the names of the witnesses adduced on either side; fifthly, the substance of the evidence; sixthly, his decision on the case; seventhly, whether the decision has been carried into effect; eighthly, any general remarks which he may think necessary; and that any person, party thereto, desiring a copy and certificate of such entries in any particular case, shall be entitled to and receive the same from such special magistrate, on paying for the same the sum of 6 *d.* for every 100 words of such entry or entries, and the sum of 4*s.* 6 *d.* for every the certificate aforesaid.

Persons requiring copies of entries therein, and certificate, to pay 4*s.* 6*d.*, and 6*d.* for every 100 words.

4. And be it further enacted, that all such journals shall be kept in one uniform manner, as aforesaid.

Copies of such journals to be transmitted every 3 months to the person first in command, with affidavit of its correctness.

5. And be it further enacted, that at the end of each three months each special magistrate in the said Island shall transmit to the person first in command in the said Island a duplicate of his journal for the preceding three months, with an affidavit thereunto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such special magistrate during the three months to which it refers; and an account showing how the fines appearing therein to have been imposed, have been applied.

Special justices not to receive salary until such copies are furnished.

6. And be it further enacted, that until the person first in command in this Island shall have actually received such duplicate journal, so verified as aforesaid, and account of fines as aforesaid, the said first in command shall not be at liberty to pay or direct to be paid any salary to which such special magistrate shall or may be entitled for the three months last past.

Special justices to administer oaths to persons giving evidence in matters brought before them.

7. And be it further enacted, that the special magistrate aforesaid, for the purpose of ascertaining the truth in all matters which may be by any law cognizable by them, are hereby empowered and authorized to administer an oath or oaths to all or to any person or persons appearing before him or them, as to the truth of all matters to which such person or persons shall depose, and all persons swearing falsely as to any matter or thing whatsoever before such special magistrate, shall be and hereby are declared to be guilty of the crime of perjury, and liable to all the pains and penalties by law attaching to the same: provided always, that any apprenticed labourer swearing falsely as aforesaid, shall be punished by the said special magistrate, by whipping, not exceeding 30 stripes, if a male, and by confinement in the stocks, if a female, with distinguishing marks, for any time not exceeding three months, and that such punishment shall be a bar to any prosecution at law for the perjury; and the said special magistrates shall be and are hereby declared to be entitled to all the privileges and protections which are by law allowed to the justices assigned to keep the peace of our Lord the King throughout this Island.

Punishment of apprenticed labourers swearing falsely.

Complaints to be reduced to writing, and read over to complainant, who shall sign the same.

8. And be it further enacted, that on receiving any complaint the said special magistrate shall reduce the same into writing, and read the same over to the complainant, by whom it shall then be subscribed, and if the complaint shall appear to the said special magistrate to be immaterial, he may at once dismiss the said complaint, but if he shall think inquiry necessary, he shall call upon the said complainant to make oath that the said complaint is true.

Summons or warrant to issue to bring up the party charged, as may seem proper to the justices.

9. And be it further enacted, that upon taking any such complaint, to the truth of which such oath shall have been so made, the said special magistrate shall either issue his warrant for the arrest of the party charged, or shall issue a summons for his attendance, as the case may require: provided, that the warrant of arrest shall be issued in all cases which impute to the party charged a transportable offence, in all cases where there is reason to apprehend that the party charged will endeavour to escape, and in all cases where there is reason to apprehend danger to the public peace from delay; and that in all other cases the said special magistrate shall proceed in the first place by summons.

Forms of summonses and warrants to be in the forms hereunto annexed.

10. And be it further enacted, that such warrant of arrest shall be in the form annexed, marked (A.), and the form of the said summons shall be in the form annexed, marked (B.)

Forms of summons to witnesses.

11. And be it further enacted, that when it may be necessary to adduce witnesses in support or denial of any charge, the said special magistrate shall and may issue a summons to every such witness in the annexed form, marked (C.)

Justices to read over complaints to all parties, and take down the answers of the party charged, and of the witnesses.

12. And be it further enacted, that the said special magistrate shall at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, first read over the written complaint in the presence of all parties, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the depositions of each witness, which shall be read over to, and signed by such witness.

Justices may adjourn proceedings.

13. And be it further enacted, that the said special magistrate may from time to time adjourn such proceedings for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or to take bail in such amount as to him shall seem fit, for his appearance: provided, that every such commitment shall be in the form annexed, marked (D.), and that every such recognizance of bail be taken in the form annexed, marked (E.)

Form of commitment.

Decision to be in writing, and signed by justice.

14. And be it further enacted, that at the close of such proceedings the special magistrate shall pronounce his decision thereon, which decision he shall reduce into writing and subscribe with his hand.

Justices may dismiss or compromise complaints, or commit the party charged.

15. And be it further enacted, that at the close of such proceedings and investigation of such complaints as aforesaid, the said special magistrate shall either dismiss the complaint or sanction any compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his, her or their trial for the imputed offence.

If the complaint be dismissed, justice to state in his written decision his reasons.

16. And be it further enacted, that if such complaint shall be dismissed, the said special magistrate shall, in such his written decision as aforesaid, state whether it was so dismissed as being unproved, or as being frivolous, vexatious or malicious; and that if any such complaint shall be so dismissed as frivolous or vexatious, the said special magistrate shall and may adjudge the complainant, if an apprenticed labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week, or if the complainant be the employer of such apprenticed labourer, the said special magistrate may adjudge such employer to the payment of a penalty for the use of the labourer of any sum not exceeding 50*s.*; and that if the said complaint shall be dismissed as malicious, it shall be competent to the said special magistrate, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour for any time not exceeding one month, or, if the employer of any such apprenticed labourer, to a fine not exceeding 5*l.*, for the benefit of the party charged, which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation or otherwise, in respect of such his, her or their complaint: provided, that all convictions against a party or parties charged with any offence shall be in the form hereunto annexed, marked (F.), and all convictions against any party or parties preferring a frivolous or vexatious charge, shall be in the form annexed, marked (G.), and all convictions against any party or parties for preferring a malicious charge, shall be in the form annexed, marked (H.); and that if the said special magistrate shall commit the party charged to take his, her or their trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (I.): provided always, that upon such conviction as aforesaid, the said special magistrate shall issue a warrant for the execution thereof, which warrant shall be in the form annexed, marked (K.)

Punishment for frivolous or vexatious, or malicious charges.

Convictions to be in the forms hereunto annexed.

Form of warrants for execution of convictions.

Police officers to execute summonses, warrants, &c., or jointly with any constable, as justices may direct, and the same may be executed out of the district.

17. And be it further enacted, by the authority aforesaid, that all summonses, warrants, commitments and other orders so to be issued by any such special magistrate as aforesaid, shall be executed by the police officers of his district: provided always, nevertheless, that such special magistrate shall and may, as occasion may require, address the same to any constable or constables jointly with or instead of such officers of police as to him may seem requisite, and that any such summons, warrant or order, issued by any such special magistrate within his own district, shall and may be carried into effect and executed by any of the parties aforesaid, in any part of this Island, though beyond the district of the special magistrate issuing the same.

18. And

18. And be it further enacted, by the authority aforesaid, that if any person or persons summoned as aforesaid as a witness or witnesses, shall not appear in obedience to such summons, or appearing shall refuse to be sworn or examined, or to answer any question or questions legally proposed to him, her or them, by any such special magistrate, in relation to the matters depending before him, it shall be lawful for the said special magistrate to issue his warrant for the arrest of any such defaulter or defaulters, or to commit him, her or them, to close custody, there to remain until he, she or they shall submit to be sworn and examined, or to make such answers as aforesaid, and such warrant of arrest shall be in the form annexed, marked (L.), and that every such commitment in this clause prescribed shall be in the form annexed, marked (M.)

Justices to commit persons summoned as witness and not appearing, or appearing shall refuse to be examined.

Form of commitments.

19. And be it further enacted, that all penalties and fines imposed by this Act shall be raised and levied by the police officer or constable to whom the warrant of levy and distress may be directed by the said special magistrate, and that such warrant of levy and distress shall be in the form annexed, marked (N.)

Form of warrant for levying fines and penalties.

20. And be it further enacted, that if any suit or action shall be commenced against any special magistrate, in respect of any act, matter or thing by him done in pursuance of this Act, and judgment shall be given by the court for the defendant in such action or suit, the said plaintiff shall, by the said judgment, be condemned to pay treble costs.

In actions against special justices, and judgment given in their favour, plaintiff to pay treble costs.

21. And be it further enacted, that if upon any such action or suit such special magistrate shall at any time before final judgment tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court, at the trial of such action or suit, that such amends were so tendered and were sufficient, judgment shall be given in the amount so tendered; subject, nevertheless, to the reduction therefrom of the costs of suit of the said defendant: provided always, that no action or suit shall be brought against any such special magistrate in respect of any matter or thing by him done under or in pursuance of this Act, unless the same shall be commenced within six calendar months after the cause of action occurred.

Special justices may tender amends before final judgment for any injury or wrong by them done.

If refused and proved to be sufficient, judgment to be given for the amount so tendered.

Actions against them to be commenced within 6 calendar months.

22. And be it further enacted, that this Act, and every clause, matter and thing herein contained, shall commence and take effect from and after the 31st day of July 1834, and not before.

This Act to take effect from and after 31st July 1834.

23. And be it further enacted, that all special justices shall have authority to hear and decide on every charge preferred by any owner or person entitled to the services of any slave after the 1st day of July next, for neglect of any duty, absence from work, insolent or unruly conduct, or disobedience of any sort to the master's or owner's accustomed authority: provided always, that no owner or owners, agent or person entitled to the services of any slave between the 1st day of July next and the 1st day of August next, shall be deprived of that power of correction and enforcing obedience to their lawful orders, except after complaint made to such special justices at the instance of the said owner or owners, agent or person entitled to any person's services as a slave between the said periods.

Offences committed by slaves after 1st July may be heard and determined by special justices after.

24. And be it further enacted, that the said special justices shall inquire into and decide on every complaint made of any offence committed before the 1st day of August next, but undetected, or from the absence of the party offending, or other sufficient cause, previously unpunished by any other authority; and the said special justices, on conviction of any offender between the 1st day of July next and the 1st day of August next, shall award and direct the infliction of any one or more of the punishments that by any law of this Island shall be directed for the breach of the duties of apprenticed labourers; and all offenders undetected or unpunished before the 1st day of August next, shall be treated as if at the time of their several offences they had been in the condition of apprenticed labourers.

Undetected or unpunished offences committed by them before 1st August to be heard and determined by special justices, and punished as if, at the time the offence was committed, such slaves had been in the condition of apprenticed labourers.

25. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed during this session, or during the existence of the present Assembly.

Appendix of Forms referred to in this Act.

(A.)

St. Christopher.

To Special Constable for this Island, or to any other Special Constable for the said Island.

These are to authorize and command you to take the body of and have before me on at to answer the charge of against the said for that the said did on the day of and hereof fail not at your peril.

Witness my hand and seal this day of

ST. CHRISTOPHER.

Appendix (B.)

Colonial Laws. No. 25.

(B.)

St. Christopher.

Sir (or Madam)

You are required to attend before me on the day of , at , to hear and answer to the complaint of against you, for that you the said (here state the complaint).

Your obedient Servant,
(Signed by the Special Magistrate, and dated.)

(C.)

St. Christopher.

To (the witness.)

You are required to attend me on the day of , at , to give evidence touching the complaint of against .

Dated this .

(Signed by the Special Magistrate.)

(D.)

St. Christopher.

To , Special Constable for the said Island.

Whereas *A. B.*, of (description), is now brought before me, charged with (here state the nature of the charge). These are, therefore, to command you to take the body of the said (to the place of confinement), and there he is to be safely kept until , when you are hereby required to bring (him or her) the said again before me, to be re-examined and further dealt with according to law. And for so doing this shall be your sufficient warrant.

Given under my hand and seal, this day of .

(E.)

St. Christopher.

Be it remembered, that on the day of , *C. D.* personally came and appeared before me, *E. F.* esquire, one of the Special Justices of the said Island, and acknowledged himself (or herself) to be indebted to our Sovereign Lord the King, in the sum of , current money of the said Island, upon the condition (he or she) the said (*C. D.* or *G. H.*, as the case may be), shall personally appear before me on the day of , at , to answer the charge of , and not to depart without leave: then this recognizance to be void, otherwise to be and remain in full force and virtue.

Taken and acknowledged before me, the same day and year aforesaid.

(F.)

St. Christopher.

Be it remembered, that on the day of , in the year of our Lord , at , in the said Island, *A. B.* of , personally came before me, *C. D.*, Special Magistrate of the district of , and informed me that *E. F.*, of , on the day of , at , in the said Island, did (here set forth the offence complained of) contrary to the form of the Act of the said Island in such case made and provided; whereupon the said *E. F.*, after being duly summoned to answer the said charge, appeared before me on the day of , at , and having heard the said charge, declared he was not guilty of the said offence (or, as the case may be), did not appear pursuant to the said summons (or did neglect and refuse to make any defence to the said charge); whereupon I, the said Special Justice, did proceed to examine into the truth of the said charge, and on the day of , one witness, to wit, *Y. X.*, of (if *E. F.* be present, say, in the presence of the said *E. F.*), on his oath deposed, and said that (here state the evidence), or if *E. F.* confesses, leave out the evidence and say, that *E. F.* confessed the same.*

Therefore, it manifestly appearing unto me, that the said *E. F.* is guilty of the said offence laid to his charge, I do hereby convict him of the same, and do declare and adjudge that according to the Act of the said Island, in such case made and provided.

Given under my hand and seal, at St. Christopher, this day of .

(G. & H.)

Same as above to the asterisk,* suiting the same to the case and say—Therefore, it manifestly appearing to me that the said complaint of the said *A. B.* was frivolous (or vexatious or malicious), I do hereby dismiss the said complaint as being unproved (or frivolous or malicious), and I do hereby convict him, the said *A. B.*, of making a very frivolous, or vexatious, or malicious charge, and adjudge that according to the Act of the said Island, in such case made and provided.

Given under my hand and seal, this day of .

(I.)

St. Christopher.

To (the party in whose custody the person offending is to be kept.)

Receive into your custody the body of *A. B.*, of , charged before me, *C. D.* Special Magistrate of , of having (state the offence), and you are hereby required safely to keep the said *A. B.* in your gaol (or as may be), until he be thence delivered by due course of law.

Given under my hand and seal, this day of .

(K. No. 1.)

St. Christopher.

To *A. B.* (Policeman, or as it may be).

Whereas *C. D.*, of , stands convicted before me, *E. F.*, Special Magistrate, of having (state the offence), and hath been adjudged to pay the sum of for the use of *E. F.*, apprenticed labourer; these are, therefore, to command you, and you are hereby authorized and required to demand the same of the said *C. D.*, and on receipt thereof to return the same together with this writ to me the said Special Magistrate, and in default of payment, you are to levy the same upon the goods and chattels of the said *C. D.* sufficient to pay the same; and having made such levy, you shall give notice thereof to the said *C. D.*; and 10 days after such notice you shall expose the same to public sale, in the presence of five or more credible witnesses, and having raised such amount, you shall, as aforesaid, pay over the same to me, and return the overplus of such sale, if any, to the said *C. D.*; and for want of such goods and chattels, you are to take the body of the said *C. D.*, and him deliver over to the safe custody of the deputy provost marshal of the said Island, together with this warrant, and the said deputy provost marshal is hereby directed to keep the body of the said *C. D.* until he be discharged by due course of law.

Given under my hand and seal, this day of .

(K. No. 2.)

St. Christopher.

To the Constable of the Estate on which the offender is employed, or to (Policeman, or as it may be).

Whereas *C. D.*, apprenticed labourer of stands convicted of having made a frivolous, vexatious or malicious complaint against *E. F.* of , on the day of last past, and hath been adjudged to (state conviction); these are, therefore, to command you to take the said *C. D.* into your charge, and under your order and direction to make him or her undergo, receive or perform the punishment aforesaid; and what shall be done pursuant to this warrant you shall report unto me, and return unto me this writ.

Given under my hand and seal, this day of .

(L.)

St. Christopher.

To

Whereas *A. B.* hath been summoned to appear before me, *C. D.*, Special Magistrate, to give evidence in a certain complaint preferred before me by *E. F.*, of , against *G. H.*, of * , and the said *A. B.* hath neglected or refused to appear pursuant to such summons; these are, therefore, to command you to have the said *A. B.*, together with this writ, before me at as soon as he can be found, there to abide by such order in the premises as shall be made.

Given under my hand and seal, this day of .

ST. CHRISTOPHER.

Appendix (B.)

Colonial Laws.

No. 25.

(M.)

St. Christopher.

To

Whereas (as in the last to the mark *), and the said *A. B.* hath refused to be sworn (or examined, or to answer such questions as were put to him); these are, therefore, to command you to take the body of the said *A. B.* and him in safe custody to keep until discharged by due course of law.

(N. same as K.)

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thomas Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 26. —

No. 26.

St. Christopher.

AN ACT to divide Apprenticed Labourers into several Classes.

Preamble.

WHEREAS it is expedient that apprenticed labourers should be divided into distinct classes, as hereinafter mentioned: we, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, pray Your Most Excellent Majesty, that it may be enacted and ordained:

Apprenticed labourers divided into 3 classes; viz. prædial attached, prædial unattached, and non-prædial.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that from and after the 31st day of July 1834, all persons then slaves shall be divided into three distinct classes: the first of such classes to consist of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands belonging to their owners; the second of such classes to consist of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and the third of such classes to consist of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no person of the age of 12 years or upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least next before the 28th day of August 1833, have been habitually employed in agriculture, or in the manufacture of colonial produce.

No person of the age of 12 years or upwards to be included in either of the 3 classes of prædials, unless such person shall have been employed in agriculture for 12 months preceding 28th August 1833.

Returns of slaves to be made on 28th July, or within 10 days after. Form of Return (A.)

2. And be it further enacted, by the authority aforesaid, that on the 20th day of July now next ensuing, or within 10 days after, every owner of any slave or slaves within the said Island shall return unto the registrar of slaves for this Island, a list of the slaves belonging to him, her or them, and which return shall be in the form marked (A.), hereunto annexed; distinguishing, in reference to each slave therein mentioned, to which of the three classes aforesaid such slave belongs; and to which return shall be annexed an affidavit, to be sworn before any justice of the peace, who is hereby required to administer an oath in that behalf without fee or reward, which affidavit shall be to the effect, that the distinctions in the said return made correspond with the occupations usually pursued for 12 months next preceding the date of an Act passed by the Imperial Parliament of Great Britain and Ireland, on the 28th of August 1833, and intituled, "An Act for the abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," by each of the slaves to whom such returns may refer.

Returns may be amended up to 30th August, by inserting the increase and decrease up to 31st July, and the person first in command may extend the time.

3. And be it further enacted, that all and every person and persons making such returns as aforesaid on the said 20th day of July, or within 10 days after, shall and are hereby directed, until the 30th day of August next ensuing, to alter and amend such return, upon oath, to be taken and administered as aforesaid, and also to amend such return, by stating the increase and decrease of the same slaves up to the 31st day of July inclusive, and the registrar of slaves shall receive and record such amendment at any time up to the said 30th day

day of August, on which day the said return shall be closed, and no amended return shall be received after that day, unless permission for that purpose shall be granted by the Lieutenant-governor or Commander-in-chief, upon satisfactory proof of any omission or error having undesignedly occurred in any such return.

4. And be it further enacted, that in case the registrar of slaves shall see cause to doubt the accuracy of the return so to be made as aforesaid, he shall and is hereby authorized to appoint a time and place at which such owner, or his or her authorized agent, shall attend him the said registrar to substantiate the accuracy of such return: provided that notice in writing of the appointment of such time and place, for the purpose aforesaid, shall be served on the owner, or his or her attorney, or left at his, her or their usual place of abode, 12 hours at the least before the time appointed for his, her or their attendance.

In case the registrar shall doubt the accuracy of any return, he shall appoint a time and place for the owner to substantiate the same.

5. And be it further enacted, that it shall and may be lawful to and for the said registrar of slaves to proceed to examine on oath the person making such return as aforesaid, and also the slaves respecting whom such doubt has arisen, or, in the absence of either, such other evidence as he may deem necessary and sufficient, and examine on oath any witnesses who may be adduced respecting the truth of such return, and may, if necessary, adjourn any such examination from time to time; and the said registrar is hereby authorized to confirm or correct any such return as he may see fit, and shall, within 24 hours after such confirmation or correction, give notice of his decision to the party making such return, and to the slaves respectively of such his decision.

Registrar in such cases to examine on oath the owner and the slave, and any witnesses touching such return.

Registrar may confirm or correct the return as he may see fit.

6. And be it further enacted, that if either the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may on his own behalf appeal; and the registrar is hereby required, on behalf of the said slave, to appeal to the next Court of King's Bench and Common Pleas to be held within this Island, after such notice of the said registrar's decision aforesaid, by petition, setting forth the nature of such decision and the objections thereto; and the said court are hereby required to proceed in a summary way to hear and decide upon the same, and its decision shall be final and conclusive; and the said court are hereby authorized and required to make all necessary rules for regulating the proceedings upon every such petition, in the manner which may be most conducive to method, punctuality and dispatch.

Should the master or the slave be dissatisfied with the decision of the registrar, appeal may be made to the Court of King's Bench and Common Pleas by petition, &c.

7. And be it further enacted, that upon the termination of any such proceedings as aforesaid, there shall be affixed to the entry of the name of such prædial attached slave in the registry of slaves the letters P. A., of each prædial unattached slave the letters P. U., and of each non-prædial slave the letters N. P.

In the entry of the names of the slaves, P. A. to be affixed to prædial attached, P. U. prædial unattached, and N. P. to non-prædial.

8. And be it further enacted, that during the continuance of the apprenticeship of such labourers as aforesaid, the slave registry, so corrected as aforesaid, shall be deposited and kept in the office of the secretary of this Island among the records of the Court of King's Bench and Common Pleas; and should any question arise respecting the class to which any such apprenticed labourer shall belong, such corrected registry, or a certified extract thereof, shall be deemed and taken as conclusive evidence of the fact.

The corrected slave registry to be deposited in the secretary's office, and shall be deemed conclusive in any case of dispute.

9. And be it further enacted, that the registrar of slaves shall, within 30 days after the passing of this Act, deposit the original and triennial returns of slaves (and all other documents in his possession relating thereto) in the office of the secretary of this Island: provided always, that the registrar of slaves shall continue to make copies and extracts, and grant certificates of registration, and receive the usual and lawful fees thereon.

Thirty days after the passing of this Act registrar to deposit the books of original and triennial returns in the secretary's office.

10. And be it further enacted, that in case any person shall make or take any false oath to any matter or thing by this Act prescribed, he or she shall be and is hereby declared to be guilty of the crime of perjury, and be liable to all the pains and penalties by law attaching to the same.

Persons taking false oath declared guilty of perjury.

11. And be it further enacted, that if any person shall neglect or omit to make any return or affidavit by this Act required, or to attend the registrar of slaves when summoned by him for that purpose as aforesaid, such person shall for each and every such neglect or default as aforesaid incur a penalty of not less than 20 *s.*, nor more than 10 *l.*; and in the event of the wilful absence of any such person so summoned as aforesaid, it shall be lawful for the registrar to proceed to decide any such question as though such party had attended, and that in case of any such default as aforesaid, and complaint thereof to any justice of the peace, he shall be and is hereby authorized to summon the offender before him; and in case such offender shall fail to obey such summons, or to make sufficient excuse for not making such return or affidavit as aforesaid, he shall forfeit and pay such sum, not less than 20 *s.* nor more than 10 *l.* as aforesaid, to be recovered by warrant under the hand and seal of such justice of the peace, and to be executed by such constable as the same shall be directed to, according to the exigency of such warrant, which shall be in the form following:

Persons neglecting to make their returns, or to obey the summons of the registrar, to forfeit not less than 20 *s.*, nor more than 10 *l.*,

to be recovered by warrant under the hand and seal of any justice of the peace.

To (*A. B.*) or to any other Constable of the said Island.

Form of warrant.

Whereas *C. D.* hath neglected to make the return or affidavit required by a certain Act, intituled, "An Act to divide Apprenticed Labourers into several Classes," or to attend the registrar of slaves, being lawfully summoned for that purpose under and by virtue of a certain Act intituled, "An Act to divide Apprenticed Labourers into several Classes," (as the case may be) you are therefore hereby required to levy the sum of

current money of this Island, on the goods and chattels of the said *C. D.*, sufficient to pay the said sum of and the same forthwith to bring to public sale, and the surplus, if any, after deducting a fee of 9*s.*, payable to you the said *A. B.* or such other constable as may execute this warrant, to render and pay to the said *C. D.*

Witness my hand and seal, this day of .

FORM of Schedule (A.) within referred to.

Name and Description of Person making the Return.	Names of Slaves.	Sex.	Colour.	Reputed Age on the 20th July 1834.	Reputed Country.	Usual Employment since the 28th August 1832.	Class: 1 Prædial attached. 2 Prædial unattach^{d}. 3 Non-prædial.

Passed the Assembly, the 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thomas Harper, Clerk of Council

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

J. Lyons (L. S.) *Nixon.*

— No. 27. —

St. Christopher.

No. 27.

AN ACT to provide for Apprenticed Labourers during the term of their Apprenticeship.

Preamble.

WHEREAS it is necessary to make provision for the due care and maintenance of apprenticed labourers during the term of their apprenticeship: We, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of the Island of St. Christopher, pray Your Most Excellent Majesty that it may be enacted and ordained:

Various clauses of an Act of this Island, intituled, "An Act more effectually to provide for the Support, and to extend certain regulations for the Protection of Slaves, to promote and encourage their Increase, and generally to meliorate their Condition," declared to be in force.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that from and after the 31st day of July, in the present year 1834, the several clauses hereinafter enumerated of an Act of the Commander-in-chief of the Leeward Caribbee Islands in America, and the General Council and the General Assembly of the said Islands, intituled "An Act more effectually to provide for the Support, and to extend certain Regulations for the Protection of Slaves; to promote and encourage their Increase, and generally to meliorate their Condition," shall be, and the same are hereby declared to be in force, and applicable for the protection and benefit of all and every person and persons who shall become apprenticed labourer and labourers within this Island, on the 1st day of August next, so long as he, she and they respectively shall continue in such state of apprenticeship: that is to say, Clause the first; so much of Clause the second, as applies to this Island; Clause the sixth; Clause the seventh; Clause the nineteenth; Clause the twenty-seventh; Clause the twenty-eighth, with the exception of the word "white," when and as often as the same shall occur therein; Clause the twenty-ninth; Clause the thirtieth, with exception as above; Clause the thirty-first; Clause the thirty-fourth; and Clause the forty-ninth.

Allowances to labourers may be commuted with the sanction of the special justices.

2. And be it further enacted, that it shall be lawful for any employer within this Island, with the sanction of the special justice of the district in which such employer shall reside, to make any bargain or agreement with any labourer for a commutation of the allowances of provisions and clothing, or either of them, by this law required to be furnished to such labourer.

While abourers are receiving food and nutriment under the direction of the medical attendant, employers not to be compelled to furnish the weekly allowance.

3. And be it further enacted, that while any apprenticed labourer or labourers shall be receiving from his, her or their master, manager or director, food and nutriment under the orders and direction of any medical practitioner in attendance on such labourer or labourers, such master, manager or director shall not be compelled or compellable to furnish any such labourer or labourers with the quantum of weekly food hereby required to be supplied to such labourer and labourers.

Certificate of medical attendant to be received in evidence of any

4. And be it further enacted, that it shall and may be lawful for any special justice who is hereby authorized to inquire into any offence against this Act, in his discretion to receive and

and take in evidence touching any such offence, the certificate of any medical practitioner, under his hand, of any matter or thing appertaining or relating to such offence. — breach of the provisions of this Act.

5. And be it further enacted, by the authority aforesaid, that every penalty and forfeiture imposed under and by virtue of this Act, shall be recovered by warrant under the hand and seal of the special justice of the district in which such offence shall be committed; such warrant to be directed to and executed by some constable or police officer within the said district, who is hereby authorized to levy the same on the goods and chattels of every person or persons offending against this Act, and who shall be convicted thereof before such justice, and shall bring the same to sale within 10 days after such levy, and for want of such goods and chattels, such offender shall be committed to the common gaol of this Island for any time not exceeding three months, at the discretion of such justice; and all such penalties shall be applied to the use of the public of this Island, and be paid into the treasury thereof: provided nevertheless, that every person so convicted may appeal to the next superior court of criminal jurisdiction, if he or she conceives himself or herself aggrieved. — Penalties how to be recovered. — Appeal allowed from the sentence of special justices.

6. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this session, or during the existence of the present Assembly. — This Act may be altered during the present session.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thos. Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 28. —

St. Christopher.

AN ACT for prescribing the Duties, and regulating the Conduct of Apprenticed Labourers within this Island. — No. 28.

WHEREAS it is expedient to define by law the duties of apprenticed labourers within this Island, and to prevent any unruly conduct or any insolent language in such apprenticed labourers towards the persons entitled to their services, and to establish rules for the conduct of such apprenticed labourers: We, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and Council of the Island of St. Christopher, together with the Assembly of the same, humbly pray Your most Excellent Majesty that it may be enacted and ordained, — Preamble.

1. And it is hereby enacted and ordained, by the authority aforesaid, that from and after the 1st day of August 1834, every person who shall have become a prædial apprenticed labourer by force of the laws in such case made and provided, shall be bound and compellable by law, for and during the continuance of their apprenticeship, to work on the estate of the person or persons entitled to his or her services for the space of 45 hours in each week, and no longer, during the term of his or her apprenticeship: provided, that no such prædial apprenticed labourer shall be liable to perform any labour whatever on any Sunday during the term of his or her apprenticeship, except in watching and protecting the property of the person or persons entitled to his or her services, or in tending, protecting and feeding the stock of the same, or in other works of necessity. — Prædial apprenticed labourers to work for their employers 45 hours in each week. — Not to be compelled to labour on Sunday, except in works of necessity.

2. And be it further enacted, that every person who shall have become a non-prædial apprenticed labourer by force of the laws aforesaid, shall be bound and compellable by law, during the continuance of such apprenticeship, to do for the person or persons entitled to his or her services, all such work as they have hitherto been accustomed to do, or as free hired servants are accustomed and ought to do for the person to whom they hire their services; and every such apprenticed non-prædial labourer shall be bound to do so much of all such works for the persons entitled to his or her services as such free hired servants are accustomed and ought to do for the persons to whom they hire their services: and the special magistrates of this Island shall, in every case where any dispute shall arise as to the quality or quantity of the work to be done by any non-prædial apprenticed labourer for the person or persons entitled to his or her services, judge and determine whether any such work is, both in quality and quantity, such work as ought to be performed by non-prædial apprenticed labourers, according to the provisions of this Act: provided, that no non-prædial apprenticed labourer shall be liable to perform any labour whatever on any Sunday during the term of his or her apprenticeship, except in the protection of property usually confided to his, her or their care, and in other works of necessity, and in domestic services. — Non-prædials to perform the same services they were accustomed to as slaves. — Special magistrates to determine, in cases of dispute, whether the work required of non-prædials be such as they ought to perform. — Proviso respecting labour on Sunday.

Prædial labourers to conform to all the rules laid down for the good government of the estate on which they reside.

3. And it is hereby further enacted, that every prædial apprenticed labourer shall be bound and compellable by law to conform himself or herself at all times to all the rules laid down by any person or persons having the control or management of the estate on which such apprenticed labourer may be employed, for the good government of such estate: provided, that such rules do not militate in any respect against this or any other Act of this Island.

The same rules to apply to labourers occasionally employed on estates.

4. And it is hereby further enacted, that every prædial apprenticed labourer who shall come at certain times to do certain work on the estate of any employer or employers, or shall occasionally be or reside on any such estate, shall be bound and compellable by law, during the performance of such work, on going to and returning from the same, and during such occasional residence, to conform himself or herself to all the lawful rules laid down as aforesaid for the control and direction of such apprenticed labourer by such employer or employers.

Non-prædials to conform to the rules laid down for them.

5. And it is hereby further enacted, that every non-prædial apprenticed labourer shall conform himself or herself at all times to all such rules as shall be lawfully laid down as aforesaid, by the person or persons entitled to his or her services, or by any person acting under the authority of such person or persons.

Punishment for offences committed by apprenticed labourers.

6. And it is hereby further enacted, that if any apprenticed labourer shall offend against any of the hereinbefore recited clauses of this Act, such apprenticed labourer, on conviction of the same before any special magistrate, shall be liable to any of the hereinafter mentioned punishments, or any part thereof, according to the discretion of the said special magistrate, subject to all the rules hereinafter prescribed for the infliction of punishments on apprenticed labourers.

Apprenticed labourers residing on estates without being bound to labour, to conform to all the rules laid down for labourers.

7. And it is hereby further enacted, that every apprenticed labourer who may reside on the estate of any person or persons whatever, without being bound to perform any work whatever in the service of such person or persons, shall conform himself or herself to all such rules as shall be lawfully laid down as aforesaid by such person or persons, or by any person appointed by such person or persons, for the management and direction of such estate.

Apprenticed labourers absent for 1 hour, or any part of an hour, to serve 2 extra hours, or double the time of absence.

8. And for avoiding all doubts as to what shall be deemed improper conduct in any apprenticed labourer, it is hereby further enacted, that if any apprenticed labourer shall for one hour, or any part of an hour, absent himself or herself from the service of his or her employer without reasonable cause, he or she shall be compelled for every such offence, on conviction of the same before the special magistrate of the district in which such labourer shall reside, to serve two extra hours, or double the time of absence in the service of such employer: provided, that such extra hours shall not exceed 15 in the whole in any one week; and provided also, that if such extra labour shall not have been performed in any one week for such absence, it shall be made in any subseqent week or weeks; and provided always nevertheless, that no such period of extra labour shall extend to compel such apprenticed labourer to labour in the service of any employer beyond the period of seven years next after the termination of the apprenticeship of such labourer.

Provided such extra hours do not exceed 15 in any one week.

Such extra service not to extend beyond 7 years after expiration of apprenticeship.

For absence for more than 7½ hours in any one week, labourer to be adjudged a deserter, and confined to hard labour for any time not exceeding 1 week; and if a male, to receive any number of stripes not exceeding 15 with a cat, according to the discretion of the special magistrate.

9. And it is hereby further enacted, that if any apprenticed labourer shall absent himself or herself for more than seven hours and a half in any one week from the service of his or her employer, without reasonable cause, he or she shall, on conviction of the same before a special magistrate of this Island, be adjudged a deserter, and as such shall be confined to hard labour in any house of correction or place of confinement by this or any other Act to be appointed in this Island, for any time not exceeding one week, according to the discretion of the said special magistrate; and in case such offender should be a male, then such male apprenticed labourer shall receive any number of stripes, not exceeding 15, with a cat-of-nine-tails, according to the discretion of the said special magistrate.

For absence for 2 days in any one week, labourer to be adjudged a vagabond, and confined to hard labour for any time not exceeding 2 weeks; or if a male, shall receive any number of stripes not exceeding 15.

10. And it is hereby further enacted, that if any apprenticed labourer shall absent himself or herself for two days during one week from the service of his or her employer, without reasonable cause, he or she shall, on conviction of the same before a special magistrate of this Island, be adjudged a vagabond, and as such shall be confined to hard labour in any house of correction or place of confinement in this Island, for any time not exceeding two weeks, according to the discretion of the said special magistrate; or in case such offender should be a male apprenticed labourer, then such male apprenticed labourer shall receive any number of stripes, not exceeding 15, with a cat-of-nine-tails, according to the discretion of the said special magistrate.

For absence for 6 days in any one week, labourer to be adjudged a runaway, and confined to hard labour for any time not exceeding 1 month; or if a male, to receive any number of stripes not exceeding 30; and in addition thereto shall make satisfaction for the absent time, and for the time employed in hard labour, unless such labour shall be performed on the estate for the benefit of the employer.

11. And it is hereby further enacted, that if any apprenticed labourer shall absent himself or herself for six days in any one week from the service of his or her employer, without reasonable cause, he or she shall, on conviction of the same before any special magistrate of this Island, be adjudged a runaway, and as such shall be confined to hard labour in any house of correction or place of confinement in this Island, for any time not exceeding one month, according to the discretion of the said special magistrate; or in case such offender should be a male apprenticed labourer, then such apprenticed labourer shall receive any number of stripes, not exceeding 30, with a cat-of-nine-tails, according to the discretion of the said special magistrate: provided always, that every such offender shall (in addition to such punishment) be bound to make satisfaction to his or her employer for the time he or she shall have been absent from such employer (and also for the time such apprenticed labourer shall or may be employed in hard labour as aforesaid), unless such hard labour shall be,

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be, by the sentence of the said special magistrate, performed on the estate of, and for the benefit of the employer of such apprenticed labourer.

Special magistrates to decide whether labourers assign reasonable cause for their absence.

12. And it is hereby further enacted, that in all cases where any apprenticed labourer, charged with any of the three last-mentioned offences, shall assign any cause as a reasonable cause for the offence with which he is charged, and the employer of such apprenticed labourer shall deny that such cause is a reasonable cause for the said absence, the special magistrate before whom such apprenticed labourer shall be examined on such charge shall judge and determine whether such alleged cause be reasonable or not.

Labourers performing their work in an indolent, careless or negligent manner to be adjudged to labour for the employer not exceeding 15 hours in any week, for the first offence of that nature.

For the second like offence, labourer to be confined to hard labour for any time not exceeding 1 week.

For the third like offence, labourer to be confined for any time not exceeding 1 fortnight, or if a male, shall receive any number of stripes not exceeding 20.

13. And it is hereby further enacted, that if any apprenticed labourer shall be convicted before a special magistrate of this Island, of having performed the work committed to him or her by his or her employer in an indolent, careless or negligent manner, he or she shall, on conviction of such offence before such magistrate, be adjudged to labour in the service of his or her employer for any time not exceeding 15 hours in the whole in any one week, according to the discretion of such magistrate, for the first time when the said apprenticed labourer shall be convicted of such offence. And it is hereby further enacted, that for the second time when any apprenticed labourer shall be convicted before a special magistrate of such last-mentioned offence, he or she shall be adjudged to confinement with hard labour in any house of correction or place of confinement in this Island, for any time not exceeding one week, according to the discretion of such special magistrate. And it is hereby further enacted, that for the third or any subsequent occasion when any apprenticed labourer shall be convicted before a special magistrate of such last-mentioned offence, he or she shall be adjudged to confinement with hard labour in any house of correction or place of confinement in this Island, for any time not exceeding one fortnight, according to the discretion of such special magistrate; or in case such offender should be a male apprenticed labourer, then such male apprenticed labourer shall receive any number of stripes, not exceeding 20, with a cat-of-nine-tails, according to the discretion of such special magistrate.

Labourers, by the careless use of fire, injuring property, or who shall ill-treat the cattle or other live stock of any employer, or shall by negligence expose his or her property to any damage or injury, to be compelled to do extra labour for any time not exceeding 15 hours in any 1 week, or to confinement with hard labour not exceeding 1 month, or if a male, to receive any number not exceeding 30 stripes with a cat-of-nine-tails.

And special justices may adjudge any such offender to suffer any 2 or more of the said punishments, if he shall think proper so to do.

14. And it is hereby further enacted, that if any apprenticed labourer shall, by the careless use of fire, endanger, injure or destroy the property of his or her employer, or of any other person, or shall wantonly injure the property of his or her employer entrusted to his or her care, or shall wantonly injure the property of any person whatever, or shall ill-use the cattle or other live stock of his or her employer, or shall by negligence expose his or her employer's property to any damage or injury, such apprenticed labourer shall, on conviction of any of the above-mentioned offences before any special magistrate, be adjudged to do extra labour in the service of his or her employer for any time not exceeding 15 hours in the whole in any one week, according to the discretion of such magistrate, or shall be adjudged to confinement with hard labour in any house of correction or place of confinement in this Island, for any time not exceeding one month, according to the discretion of such magistrate; or in case such offender should be a male apprenticed labourer, then such male apprenticed labourer shall receive any number of stripes, not exceeding 30, with a cat-of-nine-tails, according to the discretion of such magistrate; and any special magistrate before whom any apprenticed labourer shall have been convicted of any of the offences in this present clause of this Act mentioned, shall and may adjudge such apprenticed labourer to suffer any two or more of the said last-mentioned punishments, if it shall appear to him proper to do so.

For contumacious disobedience, labourer to suffer any 1 or more of the last-mentioned punishments, according to the discretion of the special justice.

15. And it is hereby further enacted, that if any apprenticed labourer shall contumaciously disobey the lawful commands of his or her employer, such apprenticed labourer shall, on conviction of such contumacious disobedience before any special magistrate, be adjudged to suffer any one or more of the punishments last mentioned, according to the discretion of the said magistrate.

Neglect to perform work on pretence of any feigned sickness, to be sentenced to solitary confinement for any time not exceeding 24 hours, during the time allowed to any such labourer for his own enjoyment, on the information of a medical practitioner that such labourer is able to work; and if a male, to any number of stripes not exceeding 30, in addition to such confinement.

16. And it is hereby further enacted, that if any apprenticed labourer shall neglect to perform his or her lawful work, business and employment, on pretence of any feigned sickness, malady or disability, it shall be lawful for any special magistrate having jurisdiction in the premises, on the information of a medical practitioner that such person is able to work, to sentence any such apprenticed labourer to solitary confinement on the estate on which such apprenticed labourer may be employed, or in any other place to be appointed by such special justice, for any period not exceeding 24 hours in and during the time by law allowed to such apprenticed labourer for his or her own use and enjoyment; and in case of such offender being a male, such male offender may, in addition to such solitary confinement, be flogged with any number of stripes, with a cat-of-nine-tails, not exceeding 30, at the discretion of the said special magistrate.

Any 3 or more labourers agreeing together to make resistance to the lawful commands of their employers, or who shall be combined in open resistance to such commands, shall suffer confinement with hard labour for any time not exceeding 6 months; and if males, to receive any number not exceeding 30 stripes.

17. And it is hereby further enacted, that if any three or more apprenticed labourers shall agree together to make any resistance to the lawful commands of their employers or directors, or of any one of the same, or shall be engaged in a combined and open resistance to the lawful commands of their employer, such three or more apprenticed labourers, on conviction of such agreement, or of such combined and open resistance, before any special magistrate, shall be adjudged to be confined with hard labour, in any house of correction or place of confinement in this Island, for any period not exceeding six months, according to the discretion of such magistrate; and in all cases where such offenders shall be male apprenticed labourers, then such apprenticed labourers shall receive any number of stripes, not exceeding 39, with a cat-of-nine-tails, according to the discretion of such magistrate.

For drunkenness, fighting or riotous conduct, &c.

18. And it is hereby further enacted, that if any apprenticed labourer shall be found in a state of drunkenness, or fighting, or conducting himself or herself in a riotous manner, or behaving insolently towards his or her employer or director, or towards any person appointed by his or her employer to superintend the conduct of such apprenticed labourer, or shall use insolent language towards any person whatsoever, then such apprenticed labourer, on conviction of any of the said last-mentioned offences before any special magistrate, shall be adjudged to be confined with hard labour in any house of correction or place of confinement in this Island, for any time not exceeding one week, according to the discretion of such magistrate; or if such offender should be a male apprenticed labourer, he may be adjudged to receive any number of stripes not exceeding 15, with a cat-of-nine-tails, according to the discretion of such magistrate.

Labourer to be confined 1 week, or if a male, to any number of stripes not exceeding 15.

In all cases where whipping is directed to be inflicted on male labourers, the punishment for females to be confinement in the stocks, with a distinguishing dress or badge of infamy, for like offences, and in proportion to the quantity of whipping inflicted on males.

Females not to be kept in stocks after sunset or before sunrise, nor for more than 8 hours in any 1 day, nor for more than 6 days for any 1 offence, or for more than 2 days consecutively.

19. And whereas it has been deemed inexpedient to punish female apprenticed labourers by whipping for any offence by them committed: Now, therefore, be it further enacted, that in all cases in which the punishment of whipping is directed by any clauses of this Act to be inflicted upon male apprenticed labourers for any offences by them committed, the punishment of confinement in the stocks, with a distinguishing dress or badge of infamy, shall be inflicted upon female apprenticed labourers when convicted of the same offences, according to the discretion of the special magistrate before whom such female apprenticed labourers shall be convicted, and in proportion to the quantity of such whipping directed to be inflicted upon male apprenticed labourers for such offences respectively: provided, that no female apprenticed labourer shall for any offence whatever be put or kept in the stocks after sunset or before sunrise, or shall be confined in the same for more than eight hours in the whole for any one day, or shall be confined for more than six days for any one offence, or shall be confined more than two days consecutively for any offence, or under any circumstances whatsoever.

All stocks to be according to 1 general model.

20. And it is hereby further enacted, that all stocks to be employed for the purpose of punishing female apprenticed labourers, shall be made according to one general model, to be sanctioned by the officer administering the government in this Colony.

Persons who shall by threats, intimidation, reward, or by any other means whatever, seduce or attempt to seduce any labourer from the service of his or her employer, or shall attempt to persuade any such labourer to neglect his work, or shall knowingly shelter any labourer who may have absconded, or left any work unfinished, shall pay a fine not exceeding 20*l.*, or suffer imprisonment not exceeding 3 months.

Should such offender be himself an apprenticed labourer, he shall undergo any 1 or more of the punishments specified in this Act for any other breach of its provisions.

21. And it is hereby further enacted, that if any person or persons shall by any threat or intimidation, reward, or promise of reward, or by any means of influence whatever, seduce, or attempt to seduce any apprenticed labourer from the performance of those services he or she legally owes to his or her employer; or shall persuade, or attempt to persuade any apprenticed labourer to neglect or not to finish any piece or contract work undertaken by such apprentice; or shall knowingly shelter or suffer to be sheltered on his or her premises, any apprenticed labourer who shall have absconded from his or her master's or mistress's service, or who shall have left unfinished any work contracted to be done by such apprentice, such person shall, on conviction before any special justice of the peace, be compelled to pay a fine not exceeding 20*l.*, and in default of payment of the same immediately, or within such time as the said special justice shall appoint at the time of conviction, be committed to the common gaol or other place of confinement in this Island, for any period not exceeding three months; and if such person so offending against this Act, shall himself or herself be an apprenticed labourer, he or she shall, on conviction before any special justice as aforesaid, be sentenced to undergo any one or more of the punishments specified in this Act for any other breach of the provisions of the same: provided always, that nothing in this clause shall extend to prevent or restrain in any way the power of every apprenticed labourer, at those times when he is not compellable to work for his master or mistress, to choose his or her own employer, as well as the service he or she may be willing to undertake.

Apprenticed labourers may choose their own employers at such times as they are not compellable to work for their master or mistress.

No apprenticed labourer to use or have in possession any gunpowder, fire-arms, &c., unless with the knowledge of the employer or director, who have authority to seize such arms, &c.

22. And it is hereby further enacted, that it shall not be lawful for any apprenticed labourer to keep, use, or have in his or her possession any gunpowder or fire-arms of any description, swords or other offensive weapon, unless with the knowledge and consent of his or her employer or director; and that it shall be lawful for any such employer or director to seize and retain to his own use any gunpowder and fire-arms of any description, swords or other offensive weapons, which any such apprenticed labourer may have in his or her possession without such knowledge and consent as aforesaid.

Majority of labourers on any plantation agreeing to perform extra or task-work, such agreement to be binding on the rest.

23. And it is hereby further enacted, that in cases where the majority of the apprenticed labourers on any plantation shall agree, in conformity with law, to any task or extra work for any employer in the said Island, such contract and agreement for such task or extra work shall be binding on the rest and remainder of the said apprenticed labourers on such plantation.

Persons aggrieved by apprenticed labourers may seek their remedy either according to the general laws of this Island, or according to the provisions of this Act;

But not allowed to proceed under both the laws.

24. And it is hereby further enacted, that wherever any apprenticed labourer shall be amenable to the general laws of this Island for any of the offences in this Act mentioned, the person or persons aggrieved by such apprenticed labourers may seek their remedy against such apprenticed labourers either according to the general laws of this Island, or according to the provisions of this Act: provided always, that it shall in no case be competent to any person aggrieved by the misconduct of any apprenticed labourer, to proceed against such apprenticed labourer both according to the general law of this Island and according to the provisions of this Act, for the same offenee.

25. And

25. And it is hereby further enacted, that in all cases of urgent necessity, it shall be lawful for the owner or other person in management of any plantation or property in this Island, where such necessity shall exist, to require and exact, as long as the necessity may exist, the service of all or any of the apprenticed labourers on such his or her plantation or property; and every apprenticed labourer refusing to comply with such requisition, shall be liable, on conviction of the same before any special magistrate, to suffer any one or more of the punishments in this Act mentioned for breach of the duties of apprenticed labourers.

In cases of urgent necessity, directors of estates may require the service of all the apprenticed labourers during such necessity. Punishment of labourers refusing to comply.

26. And it is hereby further enacted, that no such apprenticed labourer shall, during the continuance of such their apprenticeship, be liable to be arrested or imprisoned for debt, or be liable to be called on, or be competent to serve in the militia of this Island, or to serve as a juror.

No apprenticed labourer to be imprisoned for debt, or to perform any public duty.

27. And it is hereby further enacted, that all such apprenticed labourers shall during the term of such their apprenticeship be, and they are hereby disqualified from being elected members of Assembly, or churchwardens, or coroners, or vestrymen, or of voting at any election for any of the offices aforesaid, or being appointed justices of the peace.

Not to serve in the Assembly, &c. &c.

28. And it is hereby further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this session, or during the existence of the present Assembly.

This Act may be altered during the present session.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thos. Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 29. —

Saint Christopher.

AN ACT to prescribe the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the performance of the same. No. 29.

WHEREAS it is necessary to establish certain rules and regulations to prescribe the conduct of employers towards their apprenticed labourers, and to compel the observance of the same by fit and proper penalties to be enforced as hereinafter shall be provided: We, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, pray Your most Excellent Majesty, that it may be enacted and ordained, Preamble.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that if any employer of any prædial apprenticed labourer shall by force or fraud protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit for the benefit of such labourer, the sum of 1*s.* in respect of every hour which such service shall be protracted. Penalty on employer for compelling labour beyond the period prescribed by law.

2. And it is further enacted, that it shall be the duty of every such employer to intimate to the labourers in his or her employment, by sounding of a bell, or other sufficient signal, the commencement and the close of the legal hours of labour, which signal shall always be of a nature to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such employer. The commencement and close of labour to be intimated by signal.

3. And it is further enacted, that no apprenticed labourer shall be bound to undertake any task work, except with his or her own free assent to the same, save as hereinafter excepted. Labourers not compellable to undertake task work without their own consent.

4. And it is further enacted, that every contract between the employer and the prædial apprenticed labourer, for the performance of specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall by such employer be reduced into writing, and entered into a book to be kept for that purpose on the plantation, which book it shall be the duty of the special justice of the district to inspect, as often as he shall by law be required to repair to the several plantations within his district. Contracts for task work to be in writing, and entered in a book for the inspection of the special magistrate.

Such contracts not to be binding for more than 30 days, unless entered into in the presence of and with the approbation of the special justice.

5. And be it further enacted, that no contract between the employer and the prædial apprenticed labourer for the performance of any specific or task work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 30 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 30 days; and every such approbation of every such contract shall by such special justice be attested under his hand in the book so to be kept as aforesaid; and the said special justice shall, before approving any such contract, ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust; and that in every such contract for task work, or for extra service extending beyond the period of 30 days, the nature and amount of the extra labour to be performed, and the amount of the compensation to be given for the same, and the time and manner of paying or giving such compensation, shall be distinctly expressed: provided always, that no contract for such extra service as aforesaid, shall continue in force for more than one year from the day of the date thereof.

Contracts for task work not to continue longer than 1 year.

Execution to issue against employer for non-payment of compensation for task work or extra labour.

6. And be it further enacted, that upon due proof being given to the satisfaction of such special justice, of the non-payment of or failure to render or perform the compensation stipulated for in any such contract as aforesaid, whether for task work or for extra services, it shall be competent for such justice, and he is hereby authorized to award execution against any such employer for the amount or value of such compensation; and if the same shall not be paid within one week next after such award, to cause the same execution to be levied as hereinafter mentioned, on the produce, goods and chattels of every such employer, save and except articles and stock employed and used in his or her trade or business of husbandry; and which execution shall be in the form following:

Form of execution.

St. Christopher.

WILLIAM the FOURTH, by the Grace of God, of the United Kingdom of Great Britain and Ireland, King:

To any Special Constable within the said Island.

Whereas *A. B.* stands convicted before me of a failure to perform the conditions stipulated for by him with *C. D.* an apprenticed labourer, for the work and labour of such apprenticed labourer, and the said *A. B.* hath been awarded to pay the sum of *l.* for such failure as aforesaid, and the said *A. B.* not having paid the same within the time limited for that purpose, you are required and authorized to levy this execution on the produce, goods and chattels of the said *A. B.*, save and except articles and stock employed and used in the trade or business of husbandry of the said *A. B.*, sufficient to pay and satisfy the said sum of *l.*; and the produce, goods and chattels so levied on as aforesaid, you are to take into your custody and them safely to keep, unless the said *A. B.* shall give a good bond, in which he shall procure one sufficient surety to join, to deliver the produce, goods and chattels levied on as aforesaid, on the day of sale, and which sale you hereby are required to make on the sixth day after such levy as aforesaid at the nearest town, and apply the proceeds thereof to the payment of the said sum of *l.*; and you are hereby required to return the overplus of such sale, if any, to the said *A. B.*

Witness my hand and seal, this day of .

Execution to be levied by special constables on goods, chattels and produce, save and except articles and stock employed and used in husbandry.

7. And be it further enacted, that such execution as aforesaid shall be levied and executed by any special constable of the district wherein the same shall issue, to whom the said special justice shall direct the same, and such special constable shall thereunder seize and sell so much of the produce, goods and chattels of such employer as aforesaid, save and except articles and stock employed and used in his or her trade or business of husbandry, as may be necessary for the payment of such debt, and the surplus of such sale shall be forthwith delivered over to such employer: provided always, that no such sale shall take place as aforesaid without 48 hours previous notice in writing made and given to the said employer, either by personal service on him or her, or by leaving the same at his or her place of abode, of such sale, and the time and place thereof, such notice to be made and given by such special justice as aforesaid.

Forty-eight hours notice of sale to be given to the employer.

Labourers violating the terms of contract to be liable to the same pains and penalties as for non-performance of the duties owing to the employer.

8. And be it further enacted, that if any apprenticed labourer shall violate the terms of such contract as aforesaid, for task work or for extra service, he or she shall be liable to the same penalties and pains as are by law provided in respect of the violation by such labourer of the duties to be by him or her performed in the discharge of the services owing by him or her by law to such his or her employer.

Children not having attained the age of 6 years on the 1st August 1834, or who may be born after that day, may under certain circumstances be apprenticed out.

9. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children; and it is necessary that provision should be made for the maintenance of such children in any such contingency; Be it therefore enacted, that if any child who on the said 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding any special commission, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance,

maintenance, and that such child hath not completed his or her age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that any such person or persons aforesaid is or are unable, unwilling or unfit to enter into such indentures, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required by such indenture to bind any such child to any person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared in what capacity such child is apprenticed, whether as an agricultural labourer or house servant, or tradesman, and such master and apprentice shall in relation to each other be bound by the laws of England applicable to master and apprentice, as far as the same are in force in this Island, and such apprenticeship shall not extend beyond the 21st year of such apprentice's age.

Married women and children of 12 years and upwards competent to enter into contracts for task work or extra labour.
Parents, guardians, &c. may enter into contracts for task work for children under 12 years.

10. And be it further enacted, that every married woman being such apprentice as aforesaid, notwithstanding her coverture, and every child of 12 years and upwards, notwithstanding his or her infancy, shall be competent to enter into such contract as aforesaid for task work or for extra service; and it shall be lawful for any mother, guardian or other person standing in the place of parent, to enter into such contract as aforesaid for task work or for extra service, for and on behalf of any child under the age of 12 years, with reference to whom any such person entering into such contract as aforesaid may stand in the situation of mother, guardian or parent.

Punishment of employers for ill-treating labourers.

11. And be it further enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison, confine in the stocks, or otherwise maltreat such apprenticed labourer, or shall by way of punishment commit any violence upon his or her person, such employer shall incur a penalty to be imposed by such special justice as aforesaid not exceeding 5 *l.*, with imprisonment not exceeding 14 days in default of the payment of such fine: provided always, that nothing herein contained shall be construed to prevent any employer from confining any labourer for safe custody until such labourer can be delivered over to some policeman or constable, in order to secure his or her attendance before the special justice.

Labourers may maintain civil actions or suits against employers for ill-usage, instead of applying to the special magistrate.
Special justice may commit offenders for trial before any court having competent jurisdiction.
On conviction of employers for twice inflicting corporal punishment, or of any violence on the person of the labourer, such labourer may be transferred to another employer, and the amount received for the services be paid into the public treasury.
And the court may punish such offender by fine not exceeding 20 *l.*, and in default of payment, by imprisonment not exceeding 1 month.

12. And be it further enacted, that it shall be competent for any apprenticed labourer, in any such case of whipping, beating, imprisoning, confining in stocks or other maltreatment, or of violence committed on his or her person by way of punishment as aforesaid, instead of preferring his or her complaint to such special justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such offences; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his or her trial for such offence before any court having jurisdiction in the premises; and if any such employer shall be convicted before any court of competent jurisdiction of any cruelty towards his or her apprenticed labourer, or if any such employer be twice convicted of inflicting any corporal punishment, or of any violence upon the person of such labourer, then the labourer shall at his or her instance be transferred to another employer, under the direction of the said court, and the sum received for the services of such labourer shall be paid into the public treasury of this Island, to be applied to the use of the same; and it shall and may be lawful for such court to punish such offending employer by fine not exceeding the sum of 20 *l.*, and in default of payment thereof, by imprisonment in the common gaol of this Island for any term not exceeding one month, at the discretion of the said court: provided always, that no master or employer of apprenticed labourer shall be amenable to any special justice for any act done in defence of his person or property, for which he would not be equally amenable to any justice of the general commission of the peace, if the said act had been committed towards any person not in the condition of an apprenticed labourer.

No fine to be imposed by special justices unless 24 hours notice be given to party of the justice's intention to investigate the complaint.

13. And be it further enacted, that none of the pains and penalties which any special justice is hereby authorized to award shall be imposed in any case unless due notice in writing shall be personally served on or left at the place of abode of the offender, of the justice's intention to proceed to inquire into the complaint against such offender, and which notice shall express the time and place of hearing such complaint, the nature of the said complaint, and by whom preferred, and shall be signed by such special justice, and be served at the least 24 hours before the hearing of such complaint, and the evidence touching such complaint shall be taken at the time and place mentioned in the said notice.

This Act may be altered during the present session.

14. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed during this session, or during the existence of the present Assembly.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thomas Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

ST. CHRISTOPHER.

Appendix (B.)

Colonial Laws. No. 30.

— No. 30. —

St. Christopher.

AN ACT to regulate the removal of Prædial Apprenticed Labourers from one Plantation to another; to establish certain Rules to govern the Sale of the Services of all Classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the Descent of the same in cases of Intestacy.

Preamble.

WE, Your Majesty's most dutiful and loyal subjects, the Lieutenant-governor of the Islands of St. Christopher and Anguilla, and the Council and Assembly of the Island of St. Christopher, do pray Your most Excellent Majesty that it may be enacted and ordained,

Apprenticed labourers not to be removed from the Island.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that no apprenticed labourer shall be subject or liable to be removed from this Island to any place whatsoever, save and except in his ordinary business upon the high seas, or otherwise, as a fisherman or mariner.

Prædial apprentices not to be employed in any labour except the usual business of the plantation.

Their services may be transferred, under certain restrictions, from one plantation to another belonging to the same employer.

2. And be it further enacted, that no prædial apprenticed labourer who, under and by virtue of any law, may become attached to the soil, shall be subject or liable to perform any labour in the service of his or her employer or employers, except upon or in or about the works and business of the plantation or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed previously to the 1st day of August 1834: provided nevertheless, that, with the consent in writing of any one or more justices of the peace holding such special commission as specially provided for in and by a certain Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his or their services to any other estate or plantation within this Island to such person or persons belonging, which written consent shall in no case be given or be of any validity, unless such justice of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her lawful wife or husband, parent or child, or from any person or persons reputed to bear any such relation to such apprenticed labourer, at the time living on the said estate together with such person in such reputed relationship: provided always, that such reputed husband and wife shall be interpreted to mean only one such reputed husband or wife as any apprenticed labourer shall for 12 months then next preceding have cohabited with under appearance of marriage, and shall at the time of such intended removal be actually cohabiting with and treating as husband or wife, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; such consent in writing of such justice of the peace as aforesaid to be recorded in the book of proceedings which is by law required to be kept by the said special justice.

Services of apprentices to be deemed a chattel interest, be transferable by bargain and sale, &c., and be distributable in cases of intestacy.

Husband and wife, parent and child, not to be separated.

Prædial labourers not to be removed from the soil to which they are attached, without the written consent of one or more special justices.

Services of prædial labourers not to be sold under execution except with the soil to which they be attached.

3. And be it further enacted and declared, that the right and interest of any employer or employers to and in the services of any apprenticed labourer shall be deemed and taken to be a chattel interest, and of the nature of personal estate, and shall pass and be transferable by bargain and sale, gift, contract and conveyance, and will, and be distributable, in case the person or persons entitled to such services shall depart this life intestate, in the like and same manner as chattel interest or personal estate: provided always, that no apprenticed labourer shall, by virtue of any such bargain and sale, gift, contract and conveyance, or will or descent, in case of intestacy, be subject or liable to be separated from his or her lawful wife or husband, or parent or child; nor shall any prædial apprenticed labourer, under and by virtue of any bargain and sale, gift, contract and conveyance, or will or descent, in case of intestacy, be removed from the soil to which he or she shall be attached, or on which he or she shall have been usually employed, without the consent in writing of any one or more justices of the peace holding such special commission as hereinbefore mentioned, such consent to be recorded as aforesaid: and provided further, that no such apprenticed labourer or labourers, or the right of the employer or employers to the services thereof, shall be the subject of any writ of attachment, sequestration or execution, save and except in case of any prædial apprenticed labourer or labourers attached to the soil, in which case he, she or they may be levied on and sold together with the soil to which he, she or they may be so attached as aforesaid, but not otherwise.

4. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed during this session, or during the existence of the present Assembly.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thomas Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 31. —

St. Christopher.

AN ACT for dividing this Island into Districts, and for establishing a sufficient Police within the same.

WHEREAS it is necessary to divide this Island into certain districts, for the more convenient exercise of the authority of certain special magistrates to be appointed for this Island in pursuance of an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the 3d & 4th years of the reign of His present Majesty, intituled, "An Act for the abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves:" And whereas it is also necessary that a sufficient police should be established in the said several districts: We, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, do pray Your most Excellent Majesty that it may be enacted and ordained, Preamble.

1. And be it, and it is hereby enacted and ordained, that from and after the passing of this Act, this Island shall be divided into four districts, for the purposes of the jurisdiction of such special magistrates. And it is hereby further enacted, that the first of the said districts shall include and comprise the several parishes of St. George, Basseterre, St. Peter, Basseterre, and Trinity, Palmetto Point; and the second of the said districts shall include and comprise the several parishes of St. Mary, Cayon and Christchurch, Nichola Town; and the third of the said districts shall include and comprise the several parishes of St. John, Capisterre, and St. Paul, Capisterre; and the fourth of the said districts shall include and comprise the parishes of St. Ann, Sandy Point, and St. Thomas, Middle Island. The Island divided into 4 districts. Parishes comprised in each district.

2. And it is hereby further enacted, that each one of the above-mentioned districts shall be assigned to one or more special magistrates, as the proper and peculiar district in which such special magistrate or magistrates shall perform the duties prescribed to special magistrates: provided, that every special magistrate shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause to be allowed by the person first in command in this Island. Each district to be assigned to one or more special magistrates, who shall reside within the same.

3. And it is hereby further enacted, that in each of the above-mentioned districts there shall be provided for the use of the special magistrate of such district a convenient and sufficient justice-room, wherein such special magistrate shall sit, as by law directed, for the purpose of administering the laws relating to the apprenticed labourers of this Island; and that in three of the said districts there shall be formed a police establishment, and a place of confinement or house of correction, and for that purpose the officer administering the government of this Colony is hereby authorized to appropriate any waste lands of the Crown that may be conveniently situated; and a committee of the Board of Council and House of Assembly, to be appointed for that purpose, are hereby authorized to receive tenders for the purchase or rent of any other lands that may be necessary, and for the erecting, renting or purchasing of any buildings for perfecting such police establishment as aforesaid; and of their proceedings in respect of the duty hereby delegated to them, the aforesaid committee shall duly make a report to the Council and Assembly of this Island, as soon as such committee shall have obtained tenders, in order that the Council and Assembly may, if satisfactory, conclude the same without delay. A justice-room to be provided in each district. Also a police establishment and place of confinement in 3 of said districts. Waste land of the Crown to be appropriated to such establishments. A committee of the Council and Assembly to receive tenders for the purchase or rent of other lands, and for the erecting, renting or purchasing buildings, who shall report their proceedings to the Legislature, in order to conclude the same, if satisfactory.

4. And be it further enacted, that if at any time the said places of confinement or houses of correction appointed under this Act, should not be able to accommodate a greater number of offenders than shall be then therein confined, it shall be lawful for any special magistrate, under such circumstances, or in any other case of urgent necessity, to commit any other offender or offenders to any other place of confinement where the said special justice may be satisfied the said offender or offenders may be safely confined, and to be removed from thence whenever any other place of confinement more adapted for the execution of the sentence of the said special justice shall be provided: provided always, that until such places of confinement shall be erected and provided, it shall be lawful for any special justice to commit any offenders to any place of confinement on the estate to which such offender may be attached. For want of room in the said places of confinement, justices may commit offenders to some other. Until such places of confinement shall be provided, apprenticed labourers may be confined on the estate to which they belong, by order of special justices.

5. And it is hereby further enacted, that the said special stipendiary magistrates shall sit weekly, in rotation if more than one, at the justice-room in the district assigned to such magistrate, every day in each week, when he is not engaged in visiting the plantations within his district, pursuant to an Act intituled, "An Act for prescribing the Powers and Duties of Special Magistrates," from the hour of 11 in the forenoon until the hour of two in the afternoon of every such day, and longer if necessary, for the purpose of hearing and deciding all such cases as may be brought before them: nevertheless, it shall and may be lawful at any time, in case of necessity, for any complainant to make application to the nearest special magistrate, who shall, according to the exigency of the case, proceed to investigate and determine on the charge preferred. Special stipendiary magistrates to sit in rotation every day in each week. In cases of necessity complaints may be heard by the nearest special magistrate.

A penal gang to be established at the 3 police establishments.

6. And be it, and it is hereby further enacted, that at the three police establishments to be fixed upon as hereinafter provided, there shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.

One sergeant and not more than 9 policemen to be employed at each police establishment. And on each estate 2 policemen from among the apprentices to be nominated by the employer or director, and if there be more than 100 apprentices on such estate, 2 policemen for each 100, to act as auxiliary to the policemen of the district, and to do the duty of the estate when not employed as policemen. Auxiliary policemen to be paid 4*s.* 6*d.* by the employer. And at the instance of the employer or director to take offenders before a special magistrate without summons or warrant, and to keep them in safe custody until so taken.

7. And be it, and it is hereby further enacted, that at three of the police establishments to be fixed upon for that purpose, as hereinafter provided for, there shall be employed one sergeant and not more than nine policemen or constables; and that on each estate in this Island there shall be appointed from the apprentices upon such estate two policemen or constables, to be nominated by the master, director or employer of such apprentices; and on each estate having more than 100 apprenticed labourers, there shall be appointed from among them not less than two constables for every such 100, to act as auxiliary to the policemen of the district: provided that such auxiliary policemen shall not be required to do duty off the estate to which they are attached, except with the consent of the person or employer entitled to their services; such auxiliary policemen to be paid at the rate of one half dollar per month by the estate to which they are attached: and provided also, that such appointment of such apprenticed labourer shall not prevent him or them from executing such duties as he should be bound to do if not so appointed, except at the particular time in which he is actually engaged as such policeman. And be it further enacted, that it shall and may be lawful for any auxiliary policeman or men, at the instance of the master or director or employer of such apprentices, to take any offender or offenders charged by such master or director or employer, before a special magistrate, to investigate any charge, without previous summons or warrant for that purpose, and to keep him or them in safe custody until he or they can be so taken before such special magistrate. And be it further enacted, that all such constables or policemen, and auxiliary policemen, so nominated as aforesaid, shall be appointed by the officer administering the government of this Colony, and may be removed by him for bad conduct or inefficiency.

Policemen and auxiliary policemen to be appointed by the person administering the Government, and to be removed by him for bad conduct.

Labourers refusing to act as auxiliary constables, or auxiliary constables neglecting their duty, and not promptly executing the orders of the justices or their employers, shall suffer any one or more of the punishments specified in the Act for breach of the duties prescribed for apprenticed labourers.

8. And be it further enacted, that if any labourer shall refuse to act as an auxiliary constable, after being appointed as such, or if any auxiliary constable who shall, on complaint made to any special justice, be found not to have promptly executed all orders and directions given by any special justice, or by any other justice of the peace, under the restrictions hereinbefore contained, in every case to which their several jurisdictions may extend, or of any employer or person having authority to command the services of such auxiliary constable, shall suffer, on conviction of the said neglect or reluctance, or disobedience, as aforesaid, before the said special justice, or other justice of the peace, any one or more of the punishments specified in the Act for breach of the duties prescribed for apprenticed labourers.

Auxiliary constables to be sworn by the person first in command, and the nature of their office explained to them, and a staff delivered to each as an emblem of office.

9. And be it further enacted, that after the passing of this Act, and before the 1st day of August next, a time and place shall be fixed in each district, by the appointment of the person first in command in this Island, for administering the oaths of office to the said auxiliary constables, and that the officer by whom the said oaths shall be administered, whose duty it shall be, before such auxiliary constables are sworn, to explain to them the duties of the office they are about to undertake, and the penalties incurred for neglect of the same, shall deliver to such auxiliary constable, so sworn, a staff as an emblem of office; which shall be provided according to the directions of the committee of the Council and Assembly to be appointed as aforesaid: provided always, that upon complaint made by any such auxiliary policeman to the special magistrate within his district, that the master or director of any estate on which he shall have served as such policeman, shall have refused to pay him the said sum of 4*s.* 6*d.* per month for any one or more months, the said special magistrate shall upon conviction before him of the said master or director having so refused, issue his warrant under his hand and seal, authorizing any constable within his district to levy the amount in which such master or director shall be so convicted, on his goods and chattels, and to sell sufficient of the same to satisfy such amount.

On default of payment of the monthly allowance to the auxiliary constables, special justice to issue warrant of levy against the employer.

Constables and policemen may be suspended.

10. And it is hereby further enacted, that any constable or policeman, and auxiliary policeman, may be suspended from office by any special magistrate of the district, subject to disallowance or confirmation by the officer administering the government within this Colony.

Penal gang may be ordered by the special magistrate to work on the provision ground of the district, or may be hired out to work for the benefit of the establishment.

11. And it is hereby further enacted, that as often as the special magistrate of the district on duty shall so direct, the penal gang before mentioned shall, under the superintendence of some member of the police, be employed in any laborious work upon the provision grounds of the police establishment, for the support of the prisoners at such settlement, or such penal gang may be employed as hired labourers in any laborious work, or otherwise, towards the general maintenance of the establishment.

Special justice to make a quarterly return to the officer administering the Government of the effective strength and condition of police force, and of the state of the buildings, &c.

12. And it is hereby further enacted, that the special justice shall, once in each quarter, make to the officer administering the government within this Colony, a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

Committee of the Council and Assembly to establish rules for the internal discipline of the

13. And it is hereby further enacted, that a committee shall be appointed from the Board of Council and House of Assembly, to determine on the three districts in which the said police establishments shall be fixed; to establish necessary rules for the internal discipline of the

the said police settlement; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of order, cleanliness and sobriety among them; and for the prevention and prompt punishment of any neglect or violation of such rules; and also for ascertaining the necessary weapons and accoutrements to be furnished to the policemen or constables, and auxiliary policemen, and fixing a distinguishing dress to be worn by them; and that such committee shall duly report to the Board of Council and House of Assembly what they shall determine in pursuance of such reference to them as aforesaid; and such report being approved by the officer administering the government within this Colony, and the Council and Assembly of the same, shall have therein the force and effect of law: provided always, that the officer administering the government within this Colony, and the Council and Assembly of the same, may, if they think fit, either absolutely confirm such report, or partially or wholly alter and change the rules thereby established, and may from time to time vary such rules as circumstances may require.

police settlements, &c., and to report to the Legislature the several regulations they may adopt, which being approved by the person first in command and the Legislature, shall have the force of law.

14. And it is hereby further enacted, that the constables or policemen in each district shall receive pay from the public treasury, at the rate of 3 *s.* currency per day for each private, and 4 *s.* 6 *d.* currency for each sergeant.

Pay of policemen.

15. And it is hereby further enacted, that it shall be the duty of the policemen or constables and auxiliary policemen, to carry into execution such orders as they shall receive from the special justice, for the prevention or repressing of crimes, and for enforcing obedience to the law; and such policemen or constables, and such auxiliary policemen, shall detain and carry, without summons or warrant, on their own view, before a special justice, any person in the actual commission of a breach of the peace, or any injury to public or private property.

Policemen and auxiliary policemen may on their own view, without warrant, take offenders before a special magistrate.

16. And be it further enacted, that this Act shall not be in force for any longer period than 12 months from the passing thereof.

Act in force for 12 months.

17. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed during this session, or during the existence of the present Assembly.

This Act may be altered during the present session.

Passed the Assembly, this 24th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 15th day of July 1834.

Thomas Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, the 31st day of July, in the fifth year of His Majesty's reign, and in the year of our Lord 1834.

John Lyons (L. S.) *Nixon.*

— No. 31. —

St. Christopher.

AN ACT to punish Apprenticed Labourers for Offences against the public Welfare.

No. 31.

WHEREAS the peace and good order of society in this Island may be endangered by the distinct class of apprenticed labourers within the same, and it is necessary to provide against the said offences; Be it, and it is hereby enacted by the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of the Island of St. Christopher,

Preamble.

1. That from and after the 1st day of August 1834, if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace within this Island who shall or may be present at the same, shall order the said three or more apprenticed labourers to disperse, and in case of neglect or refusal to obey such order, then the said justice of the peace shall cause a flag, or some other conspicuous signal to be exhibited as a warning to all persons then and there present, to separate and disperse quietly.

Three or more apprenticed labourers uniting together in tumultuous assemblage, to disperse by order of a justice of the peace.

2. And be it further enacted, that all persons who at the expiration of 10 minutes from and after the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction before any one or more justices of the peace within this Island, be liable to imprisonment with hard labour for any time not exceeding 12 months

Punishment of apprenticed labourers for riotous conduct.

3. And be it further enacted, that no apprenticed labourer shall after the 1st day of August 1834, reside beyond the limits of the district in which such apprenticed labourer may be resident on the said 1st day of August 1834, unless by the authority of his or her employer, to be for that purpose given him or her in writing: provided always, that in cases where such consent is refused by the employer aforesaid, it shall and may be lawful to and for

Not to reside beyond the limits of the district to which they belong, except with consent of the employer.

in case of refusal by the employer, special justice may, if he see fit, grant leave for such residence.

the special magistrate of the district in which such labourer shall as aforesaid be resident on the said 1st day of August 1834, to inquire into and investigate the cause or causes of such refusal, and if the said employer doth not sufficiently account for such refusal, then the said special magistrate shall and may give to such apprenticed labourer, under his the said special magistrate's hand and seal, an authority to reside out of the said district: provided always, that the said special magistrate shall record such investigation, and the evidence taken respecting the same, and the date of the authority in such case given as aforesaid, in the record book directed by the second clause of an Act intituled "An Act for prescribing the Powers and Duties of Special Magistrates."

Such leave to be recorded.

Labourers found beyond their district without a pass may be apprehended by any constable, and shall on conviction be adjudged a vagabond, and be punished by order of special justice.

4. And be it further enacted, that every apprenticed labourer found or to be found beyond the limits of the district in which he or she shall have been on the said 1st day of August 1834 resident as aforesaid, except in his or her way to and from the nearest market, or to or from some place of public worship, and not having a written pass or authority for that purpose from his employer, or from the special magistrate as hereinbefore directed, shall be liable to be apprehended and detained by any constable or policeman within this Island, and shall, on conviction before any justice of the peace within this Island, be adjudged a vagabond, and shall by the order and conviction under the hand and seal of such justice, be taken by any constable or policemen into the district to which such apprenticed labourer belongs, and there delivered over to the special magistrate of such district, together with such order and conviction, and the said special magistrate of the district to which the said apprenticed labourer belongs, shall forthwith cause the said apprenticed labourer to undergo the punishment directed in such conviction: provided always, that the said special magistrate shall record the said conviction, and the date of the execution of the same, in the same manner as is provided for the record of conviction in clause second of an Act intituled "An Act for prescribing the Powers and Duties of Special Magistrates."

If absent for 7 days or more, labourer to be adjudged a runaway.

5. And it be further enacted by the authority aforesaid, that if any apprenticed labourer shall, for seven days or upwards, absent himself or herself from his or her employer's service, without a reasonable cause, to be allowed by the special magistrate of the district to which he or she may belong, he or she shall, on complaint being made to such special magistrate, and on conviction of such offence, be adjudged a runaway, and shall be sentenced to three months imprisonment and hard labour in case of females, and in case of males to three months imprisonment and hard labour, and whipping, not exceeding 39 stripes with a cat.

Punishment for such offence.

Labourers establishing themselves as a distinct community in any part of the Island to be dislodged,

6. And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice, that any apprenticed labourers have without lawful authority established themselves in any part of this Island as a distinct community, such justice of the peace shall cause any such community to be dislodged, and if necessary, shall also cause their habitations to be taken down and removed, and disposed of in such manner as to the said justice shall seem fit.

And may be transported.

7. And be it further enacted, that any apprenticed labourer convicted of having been a member of any such community, shall be liable to transportation, and to imprisonment and hard labour until such transportation can be effected, or to imprisonment with hard labour for any term not exceeding six months, and to whipping by any number of stripes not exceeding 39 with a cat, in case of such offender being a male, but in case of such offender being a female, the punishment by whipping not to be inflicted.

Person first in command may order out the militia to assist in dislodging any such community as aforesaid.

8. And be it further enacted, that the officer administering the government of this Island, shall and may at the request of any magistrate, order out the whole or any part of the militia of this Island, and all officers and privates of the said militia, so ordered out as aforesaid, shall aid and assist in carrying into effect any directions which may be issued to them by the said first in command, for dislodging any such community as aforesaid, and the said officers and privates of the said militia are hereby indemnified against all and all manner of prosecutions, suits and punishment for any loss of life or injury that may arise in the lawful execution of such duty as aforesaid.

Fathers to provide for their children under 12 years not being apprentices, and in default to be compelled to labour in their extra hours for such purpose.

9. And be it further enacted, by the authority aforesaid, that if any apprenticed labourer, being in good health and able to work, and being the reputed father of a child under the age of 12 years, not being an apprenticed labourer under the terms of the laws of this Island, shall not make adequate provision for the subsistence of such child, it shall be lawful for any special magistrate to adjudge any such labourer to labour in his extra hours, and in case of refusal, then to hard labour, and to apply the earnings of such labour towards the support and maintenance of any such child.

Such persons may be hired out to labour as aforesaid.

10. And be it further enacted, that for the purpose last aforesaid, such special justice may hire out the labour of any such reputed father to any person who may be willing to agree for the same, or to labour on any public works, on the best terms which can be procured for the same.

For so long a time as may be necessary to provide for such child for 1 month in advance.

11. And be it further enacted, that such compulsory labour as aforesaid shall not be continued longer than may be necessary to provide for the maintenance of the child of such labourer, for one month in advance.

If no father living, the mother to provide for the child.

12. And be it further enacted, that in case any such child so unprovided for as aforesaid shall have no father living, then the regulations aforesaid shall apply to the mother of such child

child or children, if alive, and competent by her labour to provide for the maintenance of such child or children. ST. CHRISTOPHER.

13. And be it further enacted, that all the penalties by law denounced in case of indolence, neglect of work, or otherwise in respect of labour performed by the apprenticed labourers, in the service of their employers, shall apply to the case of labour undertaken for the maintenance of any such child as aforesaid, by virtue of any such order as aforesaid. Penalties in cases of default.

14. And be it further enacted, that if any labourer or labourers shall, without lawful authority, enter into possession of any land belonging to His Majesty, or to any person, it shall be lawful for any special justice to dispossess such labourer or labourers from such land, and from any buildings thereon erected, and to cause the same, with all the crops thereon growing, and all cattle, stock and goods thereon found, to be delivered up to the owner of such land; or in case such owner shall not within one month after such seizure appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and cause the proceeds of such sales to be paid over to the public treasurer of this Island. Labourers unlawfully entering into possession of land to be dispossessed by special justices, &c.

15. And be it further enacted, that the summary process last aforesaid shall not be taken or used in any case where any such apprenticed labourer may have been for two years then next preceding in the undisturbed and authorized possession of any such land. Unless such labourer shall have 2 years quiet possession.

16. And be it further enacted, that the said special magistrate may further adjudge any apprenticed labourer unlawfully taking possession of such land, to imprisonment with hard labour for any time not exceeding three months, if it be made to appear to his the said special magistrate's satisfaction that such possession was taken with the knowledge that the party so taking possession had no lawful claim thereto. Such unlawful possession may be punished with 3 months imprisonment.

17. And be it further enacted, that no apprenticed labourer shall quit this Island, except with a passport from the person first in command, which passport shall not be granted without the written consent of the employer of such apprenticed labourer. Person first in command may grant a pass to apprenticed labourer to quit the Island.

18. And be it further enacted, that if any apprenticed labourer shall quit or attempt to quit this Island without such passport as aforesaid, such apprenticed labourer shall, on conviction before the special magistrate, be liable to imprisonment, with hard labour, for any time not exceeding six months. Labourer quitting the Island without such pass liable to 6 months imprisonment with hard labour.

19. And be it further enacted, that every apprenticed labourer whose ordinary occupation is on the sea, or in any navigable stream, as a fisherman or mariner, shall be registered as such at the office of the special magistrate of the district, with the knowledge and consent of his employer; and any apprenticed labourer engaging in such occupation without being first so registered, shall, on conviction before the said special magistrate, be liable to imprisonment, with hard labour, for any time not exceeding three months. Labourers being mariners or fishermen to be registered as such.

20. And be it further enacted, that all vessels and boats in this Island not registered under the Navigation Acts shall be registered and numbered at the office of the special magistrate of the district to which they belong, with whom shall be entered the description of the vessel or boat, the name of the owner, and the place at which the same is usually moored or hauled up. Vessels and boats not registered under the Navigation Act to be registered at the office of the special magistrate of the district.

21. And be it further enacted, that no person within this Island shall keep a vessel or boat so registered, except by a licence under the hands of two of His Majesty's justices assigned to keep the peace within this Island, which licence must be recorded in the secretary's office, for the recording of which the secretary of the Island shall and may demand and receive the sum of 4*s.* 6*d.* from the person presenting the same to be recorded. Persons owning such vessels and boats to obtain a licence from 2 justices of the peace.

22. And be it further enacted, that the owners or directors of such licensed vessels or boats shall be bound to secure them when not actually afloat at the place or places mentioned in such licence. Vessels and boats to be secured when not afloat.

23. And be it further enacted, that all unlicensed vessels or boats shall be liable to seizure and confiscation; and that all officers of His Majesty's customs, magistrates and peace officers within this Island may seize the same, and prosecute the same to condemnation before two or more justices of the peace, one half of the proceeds of sale whereof, after payment of costs and expenses, to be given to such seizor and prosecutor, and the other half to be paid into the treasury of this Island. Unlicensed vessels and boats liable to seizure and condemnation before one or more justices of the peace.

24. And be it further enacted, that all other vessels and boats moored at any place not mentioned in the licence shall be liable to detention by any of the above officers or magistrates, until the owner thereof shall have order for restitution, or shall have paid a fine of not less than 20*s.* nor more than 5*l.*: provided always, that the person or persons so detaining the said boat or vessel for being moored at a place not mentioned in the licence, shall forthwith report the same to the special magistrate of the district in which the same is detained, to whom the person claiming the boat or vessel shall apply for restitution of the same, and to whom the said person claiming as aforesaid shall, if it shall seem fit to the said magistrate, pay the said fine, one half to be delivered over by the said magistrate to the person seizing or detaining, and the other half into the public treasury of this Island. Vessels and boats not moored as directed in licence to be detained, and owner to pay a penalty not less than 20*s.*, nor more than 5*l.* Such detentions to be reported to special magistrates.

Penalty of 50*l.* against any person taking any apprenticed labourer off the Island without licence, and in default of payment to imprisonment not exceeding 3 months for the first offence, and to transportation not exceeding 7 years for second offence.

25. And be it further enacted, that all and every person and persons removing or assisting to remove any apprenticed labourer from this Island in any boat or vessel, without such labourer having such licence as hereinbefore directed, shall be liable, on conviction thereof before any two magistrates of the Island, to pay a fine of 50 *l.*, to be recovered by warrant of levy and distress, under the hands and seals of the said magistrates, and in default of such payment to imprisonment for any time not exceeding three months for the first offence, and to transportation for any term not exceeding seven years for the second offence.

26. And whereas there may be certain acts done by apprenticed labourers which may be considered to amount to offences under this Act, and also under an Act intituled, "An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers;" Be it further enacted, that no apprenticed labourer shall be liable to be punished both under the provisions of the said last recited Act, and of this present Act, for any offence by him or her committed.

27. And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this session, or during the existence of the present Assembly.

Passed the Council, this 17th day of July 1834.
Thomas Harper, Clerk of Council.

Passed the Assembly, this 17th day of July 1834.
John Hazell, Clerk of Assembly.

George Henry Burt, Speaker.

Dated at St. Christopher, this 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 33. —

St. Christopher.

No. 33.

AN ACT to regulate the dissolution of Apprenticeship by the voluntary act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship.

Preamble.

WHEREAS by a certain Act of the Governor, Council and Assembly of this Island, intituled, "An Act for the Abolition of Slavery in the said Island, and for the establishment of a system of Apprenticeship for a limited time in lieu thereof," persons hitherto held in slavery will become apprenticed labourers, and it is necessary to provide certain rules for the dissolution of such apprenticeship under the circumstances hereinafter mentioned: We, therefore, Your Majesty's dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of the Island of St. Christopher, pray Your most Excellent Majesty that it may be enacted and ordained,

Apprenticed labourers may be discharged from such apprenticeship before the expiration of the term.

1. And be it, and it is hereby enacted and ordained, by the authority aforesaid, that if before the apprenticeship created by the hereinbefore mentioned Act, or by any other Act of the Legislature of this Island, or any enactment of the Imperial Parliament of Great Britain and Ireland, shall have expired, the person or persons entitled for and during the remainder of any term to the services of any apprenticed labourer, under and by such laws as aforesaid, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do by any deed or instrument to be by him, her or them for that purpose made and executed, which deed or instrument shall be in such form, and shall be executed and recorded in such manner and with such solemnities as hereinafter mentioned: provided nevertheless, that if any person so discharged from any such apprenticeship, by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease, mental or bodily infirmity, as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

Employers discharging apprentices of the age of 50 years, or who may be incapable of earning their own subsistence, shall provide for them in the same manner as if they had not been so discharged.

Such discharge to be by deed under the hand and seal of the party executing the same.

2. And be it further enacted, that such discharge shall be by deed, under the hand and seal of the party making the same, to be executed in the presence of and attested by one or more credible witness, and shall be recorded in the office of the registrar of deeds within one month from the day of the execution thereof; and failing in any of the particulars aforesaid, every such discharge shall be void.

The proceedings to be taken in cases where the employer is unwilling,

3. And be it further enacted, that in order to provide for the discharge of apprenticed labourers, in cases where the employers of any such apprenticed labourer may be unwilling or

or unable to contract for such discharge, if the employer of any apprenticed labourer in the said Island, or any person having any interest in the services of any such apprenticed labourer, shall be unwilling to effect his or her discharge from apprenticeship, or shall by reason of any mortgage, or settlement or lease, or charge upon or interest in the services of any such apprenticed labourer being vested in any other person or persons, be unable to execute a valid and effectual discharge from apprenticeship of such apprenticed labourer, or if the employer or any other person having a charge upon or interest in the services of such apprenticed labourer shall be a minor or married woman, or idiot or lunatic, or if the person really entitled to the services of such apprenticed labourer shall be absent from the said Island, or shall not be known, or if any suit or action shall be depending in any court of justice in the said Island, wherein the title or right to the services of the said apprenticed labourer shall or may be in controversy, or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge, a greater sum of money than may appear to the said apprenticed labourer to be his or her fair and just value, then and in each and every of the cases aforesaid any special justice to be appointed under and by virtue of any Act of this Island, or any law of the Imperial Parliament of Great Britain and Ireland, on application to him for that purpose made by the said apprenticed labourer, or any person on his or her behalf, shall issue a summons under his hand and seal, requiring the employer, or legal representative of such employer of such apprenticed labourer, to appear before him by themselves or their agents, at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice, in the public newspapers of the Island, of the time and place appointed for the purpose aforesaid; and in such notice all persons having or claiming to have any title or interest to or in the services of the said apprenticed labourer proposed to be discharged, either in their own right or as the agents, guardians, trustees or representatives of any other person, shall be required to attend and prefer such claims.

or unable by reason of any mortgage or other legal impediment, to effect a discharge from apprenticeship.

4. And be it further enacted, by the authority aforesaid, that at the time appointed for any such meeting as aforesaid, the said special justice, in the presence of the employer or legal representative of such employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer (or legal representative of such employer), shall proceed to hear, in a summary way, what may be alleged by or on behalf of such apprenticed labourer, and by the employer (or legal representative of such employer) or other person claiming any interest in the services of the said apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; or in case it shall be made to appear to the said special justice that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor or a married woman, or idiot or lunatic, or that the real employer of such apprenticed labourer, or any person having charge upon or interest in the services of such apprenticed labourer, is absent from the Island, or is unknown, or cannot be found, or that any action is depending in any court of justice in the Island wherein the right or title to the services of such apprenticed labourer is in controversy, then and in every such case the said special justice shall require the apprenticed labourer, or some person on his behalf, and the employer (or legal representative of such employer) of such apprenticed labourer, if attending in pursuance of such notice, each to nominate a good and substantial freeholder of the said Island as an appraiser of the value of his or her services; and the two appraisers so chosen shall forthwith choose and appoint another freeholder of the said Island to be an umpire between such appraisers; but if such employer (or legal representative of such employer), being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said special justice shall nominate an appraiser on behalf of the employer (or legal representative of such employer) omitting or refusing to do so, which two appraisers so appointed shall appoint an umpire as hereinbefore directed.

Proceedings as above continued.

In cases where by any legal impediment a discharge from apprenticeship cannot be effected, the labourer and employer may each appoint an appraiser of the value of the services of the labourer proposed to be discharged from apprenticeship, and such appraiser may appoint an umpire, &c.

5. And be it further enacted, by the authority aforesaid, that the appraisers so to be nominated as aforesaid, shall be duly sworn before the said special justice, to make a fair and impartial appraisement of the services of the apprenticed labourer so proposed to be discharged; and within 14 days next after their appointment, such appraisers shall make a joint valuation of the services of the said apprenticed labourer, and shall certify such their valuation to the said special justice, under their hands and seals, and in case such joint certificate shall not be so made and delivered to the said special justice, within the said term of 14 days, then the said umpire being duly sworn in the manner aforesaid, shall within the next succeeding seven days, certify his valuation to the said special justice; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default, by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the secretary's office, in a book to be by the said secretary kept for that purpose: provided, and be it further enacted, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled, and it shall not be lawful for any such apprenticed labourer, or any other person on his or her behalf, again to institute such proceedings as before mentioned for his or her discharge, until the expiration of 12 calendar months, to be computed from the date of such former valuation.

Appraisers to be sworn by special justice, and to certify their award within 14 days, and in case of their default the umpire shall within 7 days certify his valuation.

The valuation of the appraisers or umpire to be enrolled in the secretary's office.

If the valuation be not paid within 3 months the enrolment to be void, and no other proceedings for discharge from apprenticeship to be instituted until the expiration of 12 months.

Appraisers and umpires to take into consideration the qualities, &c. of the apprentice proposed to be discharged in order to come to a fair valuation.

6. And be it further enacted, by the authority aforesaid, that in making any such valuation as aforesaid, the appraisers or umpires, as the case may be, shall and they are hereby required to take into their consideration the qualities of the apprenticed labourer proposed to be discharged, as well as his or her skill in any domestic services or employment, or other labour whatsoever, with any other facts or circumstances which, in the opinion of such appraisers or umpire, ought to influence their or his judgment, as to the price to be paid by such apprenticed labourer for his or her discharge: provided always, that if any husband shall be desirous to purchase the discharge of his wife, any wife of her husband, or any parent of his or her legitimate child, it shall be competent for the said special justice so to release or qualify the provisions in this clause of the Act contained, under the circumstances of the case disclosed, as shall be consistent with humanity and justice: provided also, and be it further enacted, that if at any time before the enrolment of any such valuation, it shall be alleged before the said special justice by the employer (or legal representative of such employer) of the apprenticed labourer proposed to be discharged, that such apprenticed labourer hath within five years next preceding the date of the application made to such special justice on his or her behalf for such discharge as aforesaid, committed any robbery or theft, the said special justice shall inquire into the truth of such allegation, and if it shall be made to appear to him, by good and sufficient evidence on oath, that such apprenticed labourer hath within the said term of five years committed any robbery or theft, the said special justice shall, and he is required, to make an order for staying such enrolment as aforesaid, and thereupon the same and all other proceedings for the discharge of any such apprenticed labourer shall be stayed until the expiration of the full time of five years from the time of the commission of any such theft or robbery.

The provisions of this clause to be qualified in cases where a husband wishes to purchase the discharge of his wife or child, the wife of her husband or child.

On proof being made that any apprentice proposed to be discharged has, within 5 years preceding the application, committed any theft or robbery, the enrolment of the valuation, and all further proceedings to be stayed for the space of 5 years from the time of the commission of the theft or robbery.

The apprenticed labourer proposed to be discharged shall pay the appraised value to his employer or to the treasurer, as is provided for in this clause, which being done the special justice shall give his written certificate of such discharge, which shall be recorded in the office of the registrar of deeds.

7. And be it further enacted, that within three calendar months next after the enrolment of any such valuation as aforesaid, such apprenticed labourer so to be discharged shall pay, under the direction of the said special justice, to the employer or employers, (or legal representative of such employer or employers,) his or her appraised value, taking a receipt in writing from such employer or employers, (or legal representative of such employer or employers,) for every such payment, or if it shall have appeared that any person hath a charge upon or interest in the said apprenticed labourer, and shall have not been a party to the proceedings had for the purpose of effecting the discharge of such apprenticed labourer, or shall be a minor, or a married woman, or idiot, or lunatic, or if the real employer of such apprenticed labourer shall be absent from the Colony, and not legally represented, or shall not be known, then and in such case, the apprenticed labourer proposed to be discharged shall pay to the treasurer of the said Island the said appraised value, taking a receipt in writing from such treasurer for every such payment, and the said special justice shall, upon production before him of such receipt from the employer or employers, (or legal representative of such employer or employers) of the apprenticed labourer proposed to be discharged, or from the said treasurer of the said Island, upon application to him for that purpose made, make an order for enrolment in 14 days of such receipt, and the said special justice shall further proceed to declare and adjudge that the apprenticed labourer by or on behalf of whom such money hath been paid, is discharged, and shall thereupon give his written certificate to this effect, which may be recorded as all other discharges in the office of the record of deeds, and such apprenticed labourer shall therefrom be deemed, taken and reputed to be discharged to all intents and purposes: provided always, that the reputed employer or employers, (or legal representative of such reputed employer or employers,) so receiving the appraised value of the services of any such apprenticed labourer, shall be liable to answer any person having or claiming to have any right or title to or interest in the services of the said apprenticed labourer, to the extent of such sum so received by any such reputed employer or employers, (or legal representative of such reputed employer or employers.)

Employer receiving the amount of any such valuation shall be liable to answer any person claiming to have any right in the labourer so discharged.

Respecting the amount of valuation paid over to the treasurer, how the same is to be appropriated.

8. And it is hereby further enacted, that the money to arise from the discharge of any apprenticed labourer, and paid as hereinbefore directed to the treasurer of the Island, shall remain in the hands of the said treasurer, and shall bear interest at and after the rate of 5*l.* per centum per annum, and His Majesty's revenue in the said Island shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest, or shall in the discretion of the said special justice, on application to him for that purpose made, be invested in the purchase, in the name of the said treasurer, of any public funds or securities of Great Britain or Ireland, and the special justice as aforesaid shall, and he is hereby authorized, upon application to him for that purpose made, to direct that any such money be laid out and invested in the purchase of the services of any other apprenticed labourer or labourers, and the apprenticed labourer or labourers so to be purchased as aforesaid, or in case of no such purchase being made, then this money in the hands of the said treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were the employer or employers, (or legal representative of such employer or employers,) of such discharged apprenticed labourer, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such apprenticed labourer was held upon, under or subject unto at such time of his, her or their discharge; and the said treasurer shall hold the said money, and the interest accruing thereupon, or the said public funds and dividends, subject to such order as the said special justice may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make, and such principal sum and interest shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

9. And

9. And it is hereby further enacted, by the authority aforesaid, that if any such appraisement as aforesaid shall have been rendered necessary by any difference of opinion between the apprenticed labourer and the employer or employers (or legal representative of such employer or employers), respecting the price to be paid by the said apprenticed labourer for his or her discharge, the expense of such appraisement shall be borne by the apprenticed labourer, and be added to the amount of the valuation, if such apprenticed labourer shall be appraised at a sum exceeding or equal to the price demanded by such employer or employers (or legal representative of such employer or employers), or exceeding the sum offered by the apprenticed labourer as the price of his or her discharge, but if the appraised value of the services of such apprenticed labourer shall be less than the price previously demanded by his or her employer or employers (or legal representative of such employer or employers), then the expense of such appraisement shall be wholly borne and defrayed by such employer or employers (or legal representative of such employer or employers), and in case any such appraisement shall have been rendered necessary by any other cause than a difference of opinion as to the price to be paid for the discharge of the apprenticed labourer, the expense of the appraisement shall be equally divided between such apprenticed labourer, and his or her employer or employers, (or legal representative of such employer or employers.)

By whom the expense of appraisement is to be borne, in cases where the same is rendered necessary by any difference berween the labourer and employer as to the value of the services of such labourer; where the appraisement has not been so caused the expenses to be equally borne by the two parties.

10. And it is hereby further enacted, by the authority aforesaid, that it shall and may be lawful for the said special justice to make and prescribe, and from time to time to make and alter as occasion may require, such rules and orders (not herein provided for) as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to, or interested in any question so depending before him.

Special justices to make and prescribe rules and orders, and from time to time to alter the same as occasion may require.

11. And be it further enacted, by the authority aforesaid, that any person taking any oath under and in pursuance of this Act, who shall be convicted of swearing falsely, shall incur and suffer such punishment as by the law of the Island may be inflicted on any person guilty of wilful and corrupt perjury.

Persons convicted of false swearing, how to be punished.

12. And be it enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this session, or during the existence of the present Assembly.

This Act may be altered during the present session.

Passed the Assembly, this 17th day of July 1834.

John Hazell, Clerk of Assembly.

Passed the Council, this 17th day of July 1834.

Thos. Harper, Clerk of Council.

George Henry Burt, Speaker.

Dated at St. Christopher, this 18th day of July, in the year of our Lord 1834, and in the fifth year of His Majesty's reign.

John Lyons (L. S.) *Nixon.*

— No. 34. —

St. Christopher.

No. 34.

AN ACT to extend to the Island of Anguilla the several Acts passed by the Legislature of the Island of St. Christopher, pursuant to an Act of Parliament made and passed in the 3d & 4th years of the reign of His present Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," except as hereinafter provided.—(Passed 18th July 1834.)

Preamble.

WHEREAS the Legislature of the Island of St. Christopher have in pursuance of the above-mentioned Act of Parliament, made and passed a certain Act, intituled, "An Act for prescribing the Duties and regulating the Conduct of Apprenticed Labourers in this Island;" a certain other Act, intituled, "An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same;" a certain other Act, intituled, "An Act for prescribing the Powers and Duties of Special Magistrates;" a certain other Act, intituled, "An Act for dividing Apprenticed Labourers into several Classes;" a certain other Act, intituled, "An Act to provide for Apprenticed Labourers during the term of their Apprenticeship;" a certain other Act, intituled, "An Act to prescribe the Duties to be performed by Employers towards their Apprenticed Labourers, and to enforce the performance of the same;" a certain other Act, intituled, "An Act to punish Apprenticed Labourers for Offences against the public welfare;" a certain other Act, intituled, "An Act to regulate the removal of prædial Apprenticed Labourers from one plantation to another, and to establish certain rules to govern the sale of the services of all classes of Apprenticed Labourers, and the disposition thereof by Will, as well as to regulate the descent of the same in cases of Intestacy;" a certain other Act, intituled, "An Act for the abolition of Slavery in this Island, and for the establishment of a system of Apprenticeship for a limited time in lieu thereof;" and a certain other Act, intituled, "An Act to regulate the dissolution of Apprenticeships by the voluntary

ST. CHRISTOPHER.
Appendix (B.)
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act of the Employer, and to compel such dissolution in cases where the Labourer is able and willing to purchase his or her discharge from Apprenticeship;" and it is expedient that all and singular the clauses and enactments of the said above-mentioned Acts passed by the Legislature of the said Island of St. Christopher, should be in full force and effect in the Island of Anguilla, save and except as hereinafter provided: We, therefore, Your Majesty's most dutiful and loyal subjects, the Lieutenant-governor of Your Majesty's Islands of St. Christopher and Anguilla, and the Council and Assembly of this Your Majesty's Island of St. Christopher, pray Your most Excellent Majesty, that it may be enacted,

Clause 1. The several Acts of the Island of St. Christopher for the Abolition of Slavery, and for the good government of apprenticed labourers, declared to be in force in the Island of Anguilla, save and except the division of the Island into districts.

And be it, and it is hereby enacted and ordained, that from and after the passing of this Act, all and every the enactments, clauses, matters and things in the said above-mentioned Acts, and each and every of them contained, to be observed, done and performed, in the said Island of St. Christopher, shall be and the same are hereby declared to be in full force and effect in the said Island of Anguilla, save and except such provisions of the said above-mentioned Act, intituled, "An Act for dividing this Island into Districts, and for establishing a sufficient Police within the same," as relate to the dividing the said Island of Anguilla into a district or districts, the number of policemen to be appointed, and the remuneration to be paid to such policemen when appointed.

Clause 2. President and Council of Anguilla, with the consent and approbation of the Governor or Lieut.-governor, may divide the Island into districts, and appoint policemen, &c.

And be it further enacted, by the authority aforesaid, that it shall be lawful for the President and Council of the said Island of Anguilla, by and with the consent and approbation of the Governor and Commander-in-chief in and over the Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands, and Dominica, or the Lieutenant-governor of the said Islands of St. Christopher and Anguilla, to constitute the said Island of Anguilla a district, or to divide the said Island of Anguilla into districts, and to appoint such number of persons to act as policemen within the same, and to allow such remuneration to such policemen when appointed, as the local circumstances of the said Island of Anguilla shall require or admit of, subject nevertheless to the same rules and regulations enacted and declared in and by the last above-mentioned Act for the governance of the police in the said Island of St. Christopher.

Clause 3.

And be it further enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this session, or during the existence of the present Assembly.

NEVIS.

— No. 35. —

Nevis.

No. 35.

AN ACT to provide for the maintenance, protection and good government of Apprenticed Labourers, and to settle the jurisdiction and authority of Special Magistrates. —(18th July 1834.)

WHEREAS by an Act passed in the Imperial Parliament of Great Britain and Ireland, in the 3d & 4th year of His present Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it is amongst other things enacted, that from and after the 1st day of August, in the year of our Lord 1834, slavery shall be utterly and for ever abolished, and declared unlawful throughout the British colonies, plantations and possessions abroad; and that all persons who in conformity with the laws now in force in the said Colonies respectively shall have been duly registered as slaves, and who shall by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, being actually within any such Colony, shall be and become apprenticed labourers: And whereas it is expedient and necessary that such apprenticed labourers should be divided into classes, and that due provision be made to secure sufficient maintenance, support and protection to the said apprenticed labourers during the term of their apprenticeship, and that salutary powers to restrain and punish evil-doers, and to compel the idle and dissolute to labour, be established by law and vested in the magistrates to be for such purposes specially appointed under the authority of the hereinbefore recited Act: We, therefore, Your Majesty's most dutiful and loyal subjects, the Governor and Commander-in-chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla and the Virgin Islands, and Dominica, and the Council and Assembly of this Your Majesty's Island of Nevis, do pray Your most Excellent Majesty, that it be enacted, and be it and it is hereby enacted by the authority of the same, that all apprenticed labourers who in their state of slavery were usually employed in the cultivation of the land, or in the manufacture of colonial produce on the lands belonging to their owners, and who have been registered as attached to such lands, shall be and shall be termed prædial attached apprenticed labourers; and all apprenticed labourers who in their state of slavery were usually employed as aforesaid, but have been registered as personal slaves, and not as attached to any lands or estate belonging to their owners, shall be and shall be termed prædial unattached apprenticed labourers; and all apprenticed labourers who shall not have been usually employed in works of agriculture, or in the manufacture of colonial produce, whether registered in their state of slavery as attached to lands or as personal slaves,

slaves, shall be and shall be termed non-prædial apprenticed labourers: provided always, that no person of the age of 12 years or upwards shall be included in either of the two aforesaid classes of prædial apprenticed labourers, unless such person for 12 calendar months at the least next before the passing of the Act of the Imperial Parliament hereinbefore cited, shall have been habitually employed in the cultivation of the land, or in the manufacture of colonial produce.

2. And to the intent that the classification of apprenticed labourers may be definitively and securely settled and determined, Be it further enacted, that the registrar of slaves shall extract from the books of registration separate lists or returns of all the slaves appearing by the said books of registration to belong to the several owners of slaves in this Island, and shall deliver such lists to such owners of slaves, and to the legal representatives of such owners as shall be absent; and such returns shall contain the names, sexes and ages of such slaves, made up to the latest period antecedent to the 1st day of August 1834, at which the registration of slaves by any law now in force or hereafter to be enacted for such purpose may be legally authorized to be made; and a certificate signed by the registrar, that such return has been truly extracted from the books of registration, shall to each return be affixed; and for such returns the registrar of slaves shall be entitled to and shall receive from the public funds of this Island the sum of 300 *l.* current money, as soon as the said returns shall all be completed and filed in his office as hereinafter is provided.

3. And be further enacted, that every owner of slaves and legal representative of any absent owner shall mark on the list of his slaves delivered to him by the registrar as is aforesaid, the names, in the first place, of such slaves as shall on the said 1st day of August, in the year 1834, be under the age of six years, by affixing to each of such names the word "Infant;" and shall then distinguish to which of the three aforesaid classes of apprenticed labourers the residue of the slaves on such list will belong, by affixing to the name of each prædial attached slave the letters P. A., of each prædial unattached slave the letters P. U., and of each non-prædial slave the letters N. P.; and at the foot of every such list or return so marked and distinguished by words and letters as aforesaid, shall be annexed an affidavit, sworn to by the owner or legal representative of the owner therein concerned, before any judge of the Court of King's Bench and Common Pleas, or any justice of the peace, to the effect that the distinctions therein made correspond with the condition and occupation usually appertaining to and pursued by each of the slaves therein referred to, according to the provisions and regulations with regard to the classification of apprenticed labourers as hereinbefore established; and every such list or return, when completed in manner aforesaid, shall be filed in the office of the registrar of slaves, and shall there remain during the continuance of the apprenticeship of the persons therein enumerated, and shall be open to the inspection of any person who shall desire to examine the same, at all reasonable hours, without any fee or reward whatever.

4. And be it further enacted, that if any person whosoever be aggrieved or dissatisfied by or on account of any matter or thing contained in any return of slaves made as aforesaid, it shall be lawful at any time antecedent to the 1st day of August, in the year 1836, for such person to apply by petition to the chief or to any other judge of the Court of King's Bench and Common Pleas, setting forth the nature of the grievance complained of; and the judge to whom any such petition may be preferred is hereby declared to have full power and authority to summon all persons whom he may deem necessary to appear before him, and to proceed in a summary way to hear and to decide upon the same, and to order such return so complained against to be corrected as he may deem meet, and his decision shall be final and conclusive.

5. And be it further enacted, that if any question shall arise at any time respecting the class to which any apprenticed labourer shall belong, the return filed in the registrar's office as aforesaid, or a certified extract thereof, shall be taken as conclusive evidence thereupon, subject nevertheless to any alteration to be made therein by the authority hereinbefore last provided.

6. And be it further enacted, that every person for the time being entitled to the services of any apprenticed labourer, shall supply every such apprenticed labourer weekly with nine pints of Indian or Guinea corn or beans, or eight pints of pease or wheat, or rye flour or Indian corn meal, or nine pints of oatmeal, or seven pints of rice, or eight pints of cassava flour or farine, or eight pounds of biscuit, or 20 pounds of yams or potatoes, or 16 pounds of eddoes or tanias, or 30 pounds of plantains or bananas, and also one pound and one quarter of herrings, shads, mackarel or other salted provisions, or two pounds and one half of fresh fish or other fresh provisions; all which said provisions shall be of good and wholesome quality, upon pain of incurring a penalty of any sum not exceeding 10 *s.* current money per week for every apprenticed labourer whom he shall neglect to supply with provisions as aforesaid: provided always, that no penalty shall be recoverable for or on account of any neglect to supply provisions to any apprenticed labourer as aforesaid, unless complaint of such neglect shall be made to any magistrate having special jurisdiction therein, within one week after the time that such provisions ought to have been supplied as aforesaid; provided also, that it shall and may be lawful for such person entitled for the time being to the services of any apprenticed labourer to reduce the quantity of provisions hereinbefore mentioned to four fifths in the whole of the quantity hereby required to be given to such apprenticed labourer, during such time as such apprenticed labourer shall be actually employed in the manufacture of sugar.

7. And whereas from the situation and local circumstances of many estates in this Island, the owners and directors of such estates may be enabled to allot portions of land to the apprenticed labourers, sufficient for their support and maintenance; Be it therefore enacted, that

that it shall and may be lawful for any employer of apprenticed labourers to assign to such apprenticed labourers any piece or pieces of land in cultivation, at and after the proportion of one acre to every five apprenticed labourers in his employ, for the purpose of raising provisions for their subsistence, in lieu of any allowance hereinbefore required to be given, excepting salt or fresh provisions; and for the cultivation of such provision grounds, every employer is hereby required to allow to every apprenticed labourer in his employ nine hours in every week, to be deducted from any time during which such apprenticed labourers may by law be required to labour for the benefit of such employer.

8. And be it further enacted, that every person entitled for the time being to the services of any apprenticed labourer shall supply every such apprenticed labourer yearly with five yards of woollen cloth and six yards of linen (Osnaburgh), upon pain of incurring a penalty of any sum not exceeding 2 *l.* current money for every such apprenticed labourer whom he shall neglect to supply yearly with such clothing as aforesaid.

9. And be it further enacted, that if any person entitled for the time being to the services of any apprenticed labourer shall wilfully omit or neglect to procure proper medical assistance for any apprenticed labourer who, from sickness or any other cause, may stand in need thereof, or shall wilfully omit or neglect to provide and furnish such apprenticed labourer with all such food, wine, nourishment and necessaries as the medical practitioner in attendance shall order or direct, being duly convicted thereof, he shall forfeit and pay for every such omission or neglect a fine of any sum not exceeding 10 *l.* current money.

10. And for the better prevention and punishment of cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any apprenticed labourer by the person or persons entitled to his or her services, Be it further enacted, that if any person entitled to the services of any apprenticed labourer shall whip, beat, confine, imprison or otherwise maltreat any such apprenticed labourer, being actually employed in his or her service, he or she so offending, being duly convicted of such offence, shall incur a penalty of any sum not exceeding 10 *l.* current money, or in default of payment thereof shall suffer imprisonment for any time not exceeding 30 days.

Provided always, that it shall and may be competent for any apprenticed labourer to maintain any civil suit or action for damages on account of any such injury or maltreatment, as in the case of any other free person, instead of preferring his complaint before any magistrate having jurisdiction therein; provided also, that any such magistrate may abstain from imposing such penalty as aforesaid if he shall see fit so to do, and in lieu thereof may bind by recognizance, or if need be, may commit the offender to take his trial for such offence in the Court of King's Bench and Common Pleas; and if any person shall be convicted in the Court of King's Bench and Common Pleas of cruelty to any apprenticed labourer, or shall twice be convicted in the said court of inflicting any corporal punishment, or of making any assault und battery upon any apprenticed labourer to whose services such person shall be legally entitled, such apprenticed labourer shall be discharged from his or her apprenticeship by order of the court before which such conviction shall be had.

11. And whereas by the Act hereinbefore cited, it is enacted and declared, that no prædial apprenticed labourer shall be bound or be liable by virtue of such apprenticeship to perform any labour in the service of his or her employer for more than 45 hours in the whole in any one week: And whereas it is expedient that such employer and apprenticed labourer should be rendered competent to enter into mutual contracts or agreements, for the purpose of settling the method of apportioning the time during which such apprenticed labourer shall be required to labour in the service of his employer, into such divisions as may be mutually agreed upon; Be it therefore enacted, that it shall and may be lawful for any person entitled to the services of any apprenticed labourer to contract in writing with any such apprenticed labourer respecting the distribution of labour in any number of separate apportionments or subdivisions which the said parties may mutually agree upon: provided always, that no such contract shall continue in force or be binding upon the parties entering into the same for a longer period than 14 days, unless approved and signed by a magistrate having special jurisdiction therein; and if any person entitled to the services of any prædial apprenticed labourer shall compel such prædial apprenticed labourer to labour in his service for more than 45 hours in the whole in any one week, he or she being duly convicted thereof, shall forfeit and pay for the benefit of such apprenticed labourer for every such offence the sum of 2 *s.* for every hour in which such prædial apprenticed labourer shall be compelled to labour beyond the time allowed by law as aforesaid.

12. And be it further enacted, that every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into any contract for extra service or labour for hire; but that no contract between any employer and any apprenticed labourer for any extra service or labour for hire shall continue in force for more than one year from the day of the date thereof.

13. And be it further enacted, that if any employer shall neglect or refuse to pay to any apprenticed labourer in his employ the consideration stipulated for in any contract for extra service or labour for hire, it shall be competent for any magistrate having special jurisdiction in the premises, upon complaint made to him by such apprenticed labourer, to investigate the same, and upon proof of such neglect or refusal such magistrate may award payment of such consideration; and if such consideration be not fully paid and satisfied within one week next after such award, it shall be lawful for such magistrate to issue an attachment directed to the provost-marshal, or his lawful deputy, against the produce, utensils and other chattels upon such plantation, respecting the cultivation of which such contract had been made, which attachment shall be executed at any season of the year, and the property thereby levied

levied shall be sold in like manner as is provided in similar cases with respect to executions issued out of the Court of King's Bench and Common Pleas.

14. And be it further enacted, that no apprenticed labourer shall be subjected by his employer to task work of any description against his or her consent.

15. And whereas great benefits have frequently been obtained by removing the labourers, or some of them, from one plantation to another, being the property of one and the same proprietor; Be it therefore enacted, that it shall and may be lawful for any person entitled to the services of any attached prædial apprenticed labourer or labourers to transfer his or their services to any other estate or plantation within this Island to such person belonging, having previously obtained the written consent and approbation so to do of any one or more justices of the peace having special jurisdiction therein.

16. And whereas it is necessary that rules should be established for determining the manner and form in which the voluntary discharge of any apprenticed labourer from such apprenticeship may be effected, and for prescribing the form and manner in which the purchase, by any such apprenticed labourer, of his discharge from such apprenticeship, without, or if necessary, in opposition to the consent of the person entitled to his services, shall also be effected; Be it therefore enacted, that it shall and may be lawful for any apprenticed labourer, or for any other person on his behalf, to purchase his discharge from such apprenticeship, for such sum of money or other consideration as may be agreed upon between such apprenticed labourer, or any person on his behalf, and the person entitled for the time being to the services of such apprenticed labourer: provided nevertheless, that if any person discharged from any such apprenticeship, by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease, or mental or bodily infirmity, as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom; but if it shall happen that the person or persons entitled to the services of such apprenticed labourer shall be unwilling to grant such discharge from apprenticeship as aforesaid for the consideration in that behalf proposed, or if such person or persons, or any of them, shall be a minor, or married woman, or idiot, or lunatic, or shall be under any legal or other disability, or shall be absent from this Island without having a lawful and authorized representative therein, or cannot be found or known, or if any suit or action shall be depending in any court, either in this Island or elsewhere, touching the right or title to the services of such apprenticed labourer, then and in every such case it shall and may be lawful for such apprenticed labourer to appoint one appraiser on his part, and for the person entitled to the services of such apprenticed labourer, or having the immediate direction and control of such apprenticed labourer, as the case may be, to appoint one other appraiser on his part, which two appraisers shall determine the price to be paid for the full discharge of such apprenticed labourer from his apprenticeship; but if the appraisers so appointed shall not agree in their determination respecting the price to be paid by or on account of such apprenticed labourer for his discharge from apprenticeship as aforesaid, the said appraisers shall refer the whole matter in difference to an umpire to be by them chosen, and the determination of such umpire shall in all respects be final and conclusive upon all parties concerned therein; and in all cases where the person or persons entitled, or claiming to be entitled, to the services of any such apprenticed labourers, shall be subject to any of the disabilities hereinbefore mentioned, or shall be absent from this Island without having a lawful and authorized representative therein, or cannot be found or known, it shall and may be lawful for such apprenticed labourer to pay the money so assessed as the value of his discharge from apprenticeship by the appraisers or umpire, as the case may be, into the hands of the treasurer of this Island, or his lawful deputy, which money shall remain and be a lien in the public revenues of this Island, for the benefit of such person or persons, his or their heirs, executors, administrators or assigns, who may be or may become legally or equitably entitled thereto; and upon the payment of such money by such apprenticed labourer to the treasurer, or his lawful deputy as aforesaid, the apprenticeship of such apprenticed labourer shall immediately cease and determine.

17. And to the intent that no doubt or difficulty may arise respecting the proof or validity of the discharge of any apprenticed labourer from his apprenticeship, after such discharge shall have been purchased as aforesaid; Be it further enacted, that any receipt or other document in writing which shall contain sufficient words of acknowledgment by the person or persons whose signature or signatures shall be affixed thereto (being by law entitled to grant such discharge), by which it shall appear that the money therein mentioned had been paid as the purchase money for the discharge of such apprenticed labourer as shall be therein named from his apprenticeship, or words to the tenor and effect thereof (which receipt or document the grantor of such discharge is hereby required to execute and deliver to the party thereby discharged), shall be deemed and taken to be sufficient proof of such discharge, and such discharge shall to all intents and purposes be valid and effectual in the law.

18. And be it further enacted, that if any person shall falsely pretend to grant to any apprenticed labourer his or her discharge from apprenticeship, not being legally entitled so to do, and under colour of such pretended discharge shall receive from any person whomsoever any money or other valuable consideration for or on account thereof, such person so falsely pretending as aforesaid is hereby declared to be guilty of a misdemeanor, and may be indicted for the same in the Court of King's Bench and Common Pleas in this Island, and being duly convicted thereof, shall suffer such punishment by fine not exceeding 100 *l.* current

rent money, or by imprisonment for any time not exceeding six calendar months, or both, as the court shall deem it proper to inflict; and no punishment inflicted by the said court shall be a bar to any action or suit which may be commenced by any person aggrieved by reason of the premises, or shall be considered a mitigation of any damages which may be recovered by law for or on account of such trespass or injury.

19. And be it further enacted, that the right or interest of any person to and in the services of any prædial attached apprenticed labourer, shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, in all respects according to the rules, and subject to the forms and ceremonies of the law which are necessary in this Island to pass or transfer real estate; and such right or interest to and in the services of any prædial unattached apprenticed labourer, or of any non-prædial apprenticed labourer, shall pass and be transferable by the means and in the manner aforesaid, in all respects according to the rules, and subject to the forms and ceremonies of the law which are necessary in this Island to pass or transfer personal estate.

20. And whereas it is necessary for the preservation of peace in this Island, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the apprenticed labourers, and for ensuring the punctual and regular discharge of their duty; Be it therefore enacted, that if any apprenticed labourer shall omit or refuse to perform any work or labour which he may be lawfully required by his employer, or by the sentence of any magistrate having special jurisdiction in such case, to do, or shall be guilty of wilful negligence or waste in performing the same, or shall wilfully and maliciously destroy or injure any goods or property of his employer, whether committed to his charge or otherwise, or shall commit any wilful breach of trust in regard to such goods or property, or shall wilfully ill use or kill the cattle or other live stock belonging to his employer, or shall neglect or refuse to obey the lawful commands of any person lawfully in authority over him, or shall use insolent language or demeanour to or against such person, or shall be guilty of tumultuous or disorderly conduct on the estate or plantation to which he may be attached or on which he may usually reside, or shall neglect or refuse to perform and fulfil any contract for any hired service with the person entitled for the time being to his service, or shall wilfully abscond from his employer's service during any part of the time in which he may be bound to labour for his employer by virtue of his apprenticeship, such apprenticed labourer, being duly convicted of any such offence, shall be liable to be imprisoned for any time not exceeding one calendar month: provided always, that when any apprenticed labourer shall wilfully and without any reasonable cause abscond from his employer's service, during any part of the time in which he may be bound to labour for his employer by virtue of his apprenticeship, such apprenticed labourer, in lieu of being sentenced to suffer imprisonment, may be compelled, at the discretion of the convicting magistrate, either to serve his employer two extra hours for every hour in which he shall have absented himself as aforesaid, provided that such extra hours shall not exceed 15 in the whole in any one week, or for so long a time after the expiration of his apprenticeship as he shall have so absented himself from such service, or may be compelled to make satisfaction to his employer for the loss sustained by such absence, but nevertheless, so that such extra service or satisfaction shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprenticed labourer.

21. And be it further enacted, that if any apprenticed labourer, being in good health and able to work, and being the father of a child under the age of 12 years, not being an apprenticed labourer, shall not make adequate provision for the subsistence of such child, it shall be lawful for any magistrate having special jurisdiction therein, to adjudge and sentence any such apprenticed labourer to hard labour on any public works, or such magistrate may hire any such apprenticed labourer on the best terms which can be procured, to labour in extra hours for any person who may be willing to contract for the same: provided always, that in case such child so unprovided for as aforesaid shall have no father living, the mother of such child, if alive and competent by her labour to provide for the maintenance of such child, shall be liable to be sentenced to such compulsory labour as aforesaid; provided also, that such compulsory labour shall not be continued longer than may be necessary to provide for the maintenance of such child for one month in advance.

22. And be it further enacted, that if any apprenticed labourer shall without lawful authority enter upon and take possession of any land belonging to any other person, it shall and may be lawful for any magistrate having special jurisdiction therein, to dispossess and eject such apprenticed labourer from such land, and to cause the same with all crops growing thereupon, and all buildings thereon erected, to be delivered up to the owner of such land, and may further adjudge such apprenticed labourer to suffer imprisonment for any time not exceeding three calendar months, if it shall appear to the satisfaction of such magistrate that such apprenticed labourer had wrongfully and fraudulently taken such possession.

23. And be it further enacted, that if any apprenticed labourer shall depart or attempt to depart from this Island without a passport under the hand of the Governor or the officer administering the government of this Island for the time being, which passport shall not be granted except with the consent in writing of the employer of such apprenticed labourer, such apprenticed labourer shall be liable to suffer imprisonment for any time not exceeding six calendar months: provided always, that nothing herein contained shall be deemed or taken to prevent any non-prædial apprenticed labourer, who shall be truly a domestic servant, or an attendant upon the person of his employer, or of any part of his family, from departing from this Island in attendance upon or in the same ship or vessel with his said employer,

employer, or any part of his family, without any passport or other written authority whatsoever.

24. And be it further enacted, that if any person shall carry away or assist to carry away any apprenticed labourer from this Colony in any boat or vessel, without a passport, except in such cases as hereinbefore is excepted, such person so offending is hereby declared to be guilty of a misdemeanor, and may be indicted for the same in the Court of King's Bench and Common Pleas, as for an offence against this Act, and being duly convicted thereof, shall be liable to a penalty to our Sovereign Lord the King, in any sum not exceeding 100 *l.*, or to be imprisoned for any time not exceeding six months, or to both, at the discretion of the court.

25. And be it further enacted, that if any three or more apprenticed labourers shall be engaged in a combined and open resistance to the lawful commands of their employer, such apprenticed labourers shall be deemed to be guilty of an unlawful conspiracy, and being duly convicted thereof, shall be adjudged to be imprisoned for any period not exceeding six calendar months.

26. And be it further enacted, that no apprenticed labourer shall be compelled by virtue of any law in force in this Island to serve in the militia, or to be a juror on any trial had in any of the courts of justice in this Island, during the term of his apprenticeship.

27. And be it further enacted, that no apprenticed labourer shall be arrested or imprisoned for debt under or by authority of any legal process whatsoever.

28. And whereas by the Act of the Imperial Parliament hereinbefore cited, His Majesty is authorized and empowered to appoint, by one or more special commission or commissions, one or more person or persons to be a justice or justices of the peace for this Island, for the special purpose of giving effect to the aforesaid Act of the Imperial Parliament, and to such Acts as may be passed by the Legislature of this Island, for giving more complete effect thereto: And whereas it is expedient that the jurisdiction and duties of such special justice or justices should be accurately settled and defined by law; Be it therefore enacted, that such justice or justices so appointed by special commission or commissions as aforesaid, but not any justice or justices appointed by the general commission of the peace or otherwise, shall have full power and authority to hear and determine, according to the provisions of this or of any other Act for such purpose to be enacted, all such complaints, charges and offences as are hereinbefore mentioned and recited, which may be made by any apprenticed labourer against the person or persons entitled by law for the time being to his or her services, or by any such person or persons so entitled to such services against any apprenticed labourer who may be actually in his or her employ, and to give judgment thereupon, and shall have power to compel the attendance of witnesses and persons charged with any such offence of which such justice is or shall hereafter be authorized by law to take cognizance, and may punish for contempts, and may cause the execution of his or their judgments to be done by such ways and means, and by such legal process, as justices of the peace, in the ordinary and accustomed execution of their office, are authorized by law to use and employ in similar cases.

29. And be it further enacted, that it shall and may be lawful for any justice having special jurisdiction under this Act, to visit any plantation at any time by day, and to inspect the apprenticed labourers thereon resident whensoever he may think proper.

30. And for the better protection of such special justice or justices in executing the duties of his or their office, Be it further enacted, that an Act passed by the Captain-general, the Council and Assembly of this Island, in the 60th year of the reign of his late Majesty George the Third, intituled "An Act for rendering Justices more safe in the execution o their Office, and for indemnifying Constables and others acting in obedience to their warrants," shall be and is hereby declared to be in force with relation to such justice or justices so specially appointed as aforesaid, and to all acts done or performed by him or them, and to all constables or other peace officers acting under or by virtue of the authority of such justice or justices, as fully and effectually as if such justice or justices had been named in the said Act, and had been appointed as justices by virtue of the general commission of the peace.

31. And be it further enacted, that if any charge or complaint shall be made before any magistrate having special jurisdiction therein, by any employer against any apprenticed labourer in his employ, or by any apprenticed labourer against his employer, which charge or complaint shall prove in the judgment of such magistrate to be frivolous and vexatious, it shall and may be lawful for such magistrate to adjudge the party making such frivolous and vexatious complaint, if an apprenticed labourer, to work in the service of his employer for any extra time or times not exceeding 15 hours in the whole in any one week; or if the employer of any apprenticed labourer be the complainant, such magistrate may adjudge such employer to the payment of a penalty in any sum not exceeding 10 *l.* current money to the use of the apprenticed labourer against whom he shall have made such frivolous and vexatious complaint; and if any charge or complaint which shall be made as aforesaid shall prove to be malicious, it shall and may be lawful for the magistrate before whom such charge or complaint shall have been brought, to adjudge the complainant, if an apprenticed labourer, to suffer imprisonment for any time not exceeding one calendar month; or if the complainant be the employer, to the payment of a penalty of any sum not exceeding 40 *l.* current money, to the use of the apprenticed labourer against whom he shall have made such malicious charge or complaint.

32. And be it further enacted, that every penalty and forfeiture incurred by virtue of this Act shall be levied and recovered (except in such cases as hereinbefore is excepted) in a summary

NEVIS.

Appendix (B.)

Colonial Laws. No. 35.

summary manner by a warrant directed to the provost-marshal, or his lawful deputy, and issued under the hand and seal of any justice who shall be duly and specially authorized as hereinbefore is provided, to hear and determine offences against this Act; and such warrant shall be executed, and the property thereby taken in execution shall be sold, according to the form and manner, and subject to the rules and regulations which are now in force respecting proceedings had under writs of execution issuing out of the Court of King's Bench and Common Pleas, except that property may be taken in execution and sold by virtue of any process which shall issue under the authority of this Act, at any season of the year.

33. And be it further enacted, that when any person shall be convicted of any misdemeanor or other offence punishable under this Act, for which imprisonment may be by this Act awarded, it shall be lawful for the court or justice having jurisdiction therein, to sentence the offender to be imprisoned or to be imprisoned and kept to hard labour, and if a male, to be once, twice, or thrice whipped with any number of stripes not exceeding 30 in each whipping, in addition to such imprisonment, and if a female, to be once, or twice, or thrice confined in the stocks for any number of hours not exceeding eight in each confinement, in addition to such imprisonment; and also to direct that the offender shall be kept in solitary confinement for the whole or any portion or portions of such imprisonment, or of such imprisonment with hard labour.

34. And be it further enacted, that wherever words have been used in this Act, or in any Act which is now in force, or which may hereafter be enacted, importing the singular number or the masculine gender only, yet this or any other Act shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

35. And be it further enacted, that this Act shall take effect and come into operation on the 1st day of August, in the year of our Lord 1834.

Dated at this day of , in the fourth year of the reign of our Sovereign Lord William the Fourth, by the grace of God of the United Kingdom of Great Britain and Ireland, King, Defender of the Faith, and in the year of our Lord 1834.

Passed the Assembly, this 23d day of January 1834.

Josiah Nicholson, Pro. Clerk of Assembly.

Passed the Board of Council, this 23d day of January, in the year of our Lord 1834.

S. T. Pemberton, Deputy Secretary, &c.

George Webbe, Speaker.

Published 18th July 1834. *Js. Daniell.*

— No. 36. —

Nevis.

No. 36. AN ACT to establish a Local Constabulary Force on the several Plantations in this Island. (31st July 1834.)

WHEREAS it is expedient that means should be taken to preserve peace and good order on the several plantations in this Island, by a constabulary force established and resident on the said plantations: Be it therefore enacted, by his Honor James Daniell, esquire, President, administering the government of this Island, and by the Council and Assembly of the same, that it shall and may be lawful for the proprietor or director of any plantation in this Island on which any body of labourers shall be settled, either as apprentices or otherwise, to appoint as local constables such of the said labourers, not exceeding two for every 100, as he shall think most trustworthy and eligible for such office; and such local constables shall be sworn by any judge or justice of peace to the due and faithful discharge of their duty, and shall be responsible for the tranquillity and good order of the plantation for which they shall respectively be appointed by the proprietor or director thereof, and shall be removable for misconduct or neglect, and shall moreover have power to act in all cases as ordinary and general constables; and each of the said local constables shall receive the same fees for the performance of his duties which other constables are by law entitled to, or may be entitled to receive, and shall also be supplied once in every year, at the public expense, with a uniform jacket of green cloth, with scarlet collar and cuffs, and a black glazed hat.

And be it further enacted, that every proprietor or director of a plantation shall from time to time return into the secretary's office a list of the names of such persons whom he shall appoint to be local constables, in manner aforesaid, on the plantation or estate belonging to him or under his control; and the secretary of this Island is hereby required to prepare from such returns a general list of such local constables, specifying the plantations to which they shall be respectively attached, and shall keep the same at all times suspended publicly in his office, upon pain of incurring a penalty of 5*l.* for neglecting so to do, which penalty shall be recovered in a summary manner before any two magistrates; and no local constable shall be competent to act in such capacity before his name shall be inserted in such general list.

And

And be it further enacted, that if any proprietor or director of any plantation shall omit or refuse to appoint and return such local constables in manner aforesaid, before the expiration of one week from and after the passing and publication of this Act, he shall incur a penalty for such his omission or neglect of 50*l.* current money, to be recovered by a warrant under the hands of any two magistrates, directed to the provost-marshal or his lawful deputy, requiring him to levy the same on the goods and chattels of the person in such case offending, two thirds of which penalty shall be paid into the public treasury for the public uses of this Island, and one third to the person who shall inform and sue for the same.

And be it further enacted, that this Act shall continue in force for the space of three years from and after the passing and publication thereof, and from thence until the expiration of the then sitting House of Assembly.

Dated at Nevis, this 2d day of August, in the year of our Lord 1834.

Passed the Assembly, the 18th day of July 1834.

S. A. Rawlins, Clerk of Assembly.

Passed the Board of Council, this 31st day of July 1834.

Thomas Slater, Secretary and Clerk of the Council.

George Webbe, Speaker.

Published this day, 2d August 1834.

Walter Maynard, Deputy Provost Marshal.

James (L. S.) *Daniell.*

VIRGIN ISLANDS:—TORTOLA.

— No. 37. —

Virgin Islands:—Tortola.

AN ACT for regulating the division of Apprenticed Labourers into their respective Classes, and for providing for the dissolution of the Apprenticeship by Contract or otherwise.

Preamble.

WHEREAS by an Act made and passed in the 3d & 4th years of His present Majesty King William the Fourth, intituled, "An Act for the abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it is amongst other things enacted, that from and after the 1st day of August 1834, all persons who, in conformity to the laws now in force in the said Colonies respectively, shall, on or before the 1st day of August 1834, have been duly registered as slaves in any such Colony, and who on the 1st day of August 1834 shall be actually within such Colony, and who shall by such registry appear to be on the said 1st day of August 1834 of the full age of six years or upwards, shall, by force and virtue of the above-recited Act, and without the previous execution of any indenture of apprenticeship, or any other deed or instrument for that purpose, become and be apprenticed labourers: provided, that for the purposes aforesaid every slave engaged in his ordinary occupation on the seas shall be deemed and taken to be within the Colony to which such slaves shall belong, and that during the continuance of the apprenticeship of such apprenticed labourer such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if such recited Act had not been made: And whereas by the 16th section of the said before-recited Act, it is amongst other things declared necessary, that various rules and regulations should be enacted for ascertaining, with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers; and for determining the manner and form in which, and the solemnities with which the discharging of any apprenticed labourer from such his or her apprenticeship, may be effected, either with or without, or in opposition, if necessary, to the consent of the person entitled to his or her services, and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of such appraisement shall in each case be paid and applied, and in what manner and form, and to whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded: We, therefore, Your Majesty's dutiful and loyal subjects, the Governor and Commander-in-Chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and in his absence, the chief officer administering the government of the said Virgin Islands, and the Council and Assembly of these Your Majesty's Virgin Islands, do humbly pray Your most Excellent Majesty that it may be enacted and ordained,

Clause 1.
Apprenticed labourers to be divided into three distinct classes.
Mode of classification.

And be it, and it is hereby enacted and ordained, by the authority aforesaid, that all persons who by virtue of the above-recited Act are about to become apprenticed labourers shall be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners; the second, to prædial appren-

ticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no person of the age of 12 years shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall, for 12 calendar months previous to the 28th day of August 1833, have been usually employed in agriculture, or in the manufacture of colonial produce, or in the performance of any other work or labour necessary to be done or performed, or connected with the business of any estate or plantation, whether as mechanics, boatmen, watchmen, messengers, stock-keepers, or otherwise.

Clause 2. Owners of slaves to make a return of the number, age and usual occupation of such slaves to the assistant commissioners.

Form of return to be sworn to, and where to be lodged.

And be it further enacted, that in order to designate and make it appear with certainty to what particular class each such apprenticed labourer doth actually belong, that previously to the 1st day of August 1834, every owner or possessor of any slave or slaves within the Virgin Islands, or some person authorized in his, her or their behalf, shall make a return to the assistant commissioners appointed by virtue of the said Act of Parliament of all such slaves, mentioning in separate columns in each such return the name or names of the owner or owners, the names, ages, or reputed ages, and usual occupations of all such slaves, which return shall be headed "Return of Slaves belonging to, or in the possession of, *A. B.*, this day of 1834:" and each person making any such return shall be sworn by any one of the said commissioners to an affidavit to be thereunder written, in the following words: "I, *A. B.*, do solemnly swear, that the return now by me made is just and true, and the distinctions correspond with the occupations usually pursued by each of the slaves contained therein for 12 calendar months next preceding the 28th day of August 1833. So help me God." Which return shall be delivered to the said commissioners; and that the commissioners before whom such affidavit shall be sworn to shall, at the time of swearing, certify a counterpart of such return and affidavit to be produced to him by the person making the same to be a true and correct copy, which copy shall on or before the said 1st day of August 1834 be delivered to one of the special justices of these Islands, to be by him kept, and produced, when necessarily required, before any lawful tribunal in these Islands.

Clause 3. Persons may discharge their apprenticed labourers before the expiration of the term, to be signed before two witnesses, and duly recorded.

And be it further enacted, that it shall and may be lawful, at any time before the expiration of the term mentioned in the before-recited statute of the 3d & 4th William the Fourth, for the duration of the apprenticeship, for the person or persons entitled to the services of such apprenticed labourer, to discharge him, her or them from such apprenticeship: provided always, that such discharge shall be in writing, and signed in the presence of two competent witnesses, and such deed shall, either at the instance of the employer or apprentice, be recorded in the secretary's office in these Islands; and after such discharge shall be so recorded, the employer or apprentice shall be relieved from all responsibility that by law might or did exist between, or in relation to, any or either of them previously to the recording of such discharge or release.

Clause 4. Cannot discharge them if of the age of 50, or diseased, without being liable to provide for them until the end of the term.

And be it further enacted, that if any person so discharged from such apprenticeship by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any disease, or mental or bodily infirmity, as may render him or her incapable of earning his or her subsistence, then and in such case the person or persons so discharging any such apprenticed labourer shall be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

Clause 5. Apprenticed labourers may purchase their discharge without consent, or in opposition to their employers; value of services to be appraised.

And be it enacted, that it shall and may be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship without consent, or in opposition, if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the appraised value of such services, which appraisement shall be effected, and which purchase-money shall be paid and applied, and which discharge shall be given and executed in such manner and form, and upon and subject to the conditions as shall be hereinafter prescribed.

Clause 6. In case the employer refuses to effect the discharge of apprentice on tender of the value of services, or be unable so to do, must appear before the special magistrate to show cause.

And, to provide for the discharge of such apprentice, where the employer of such apprentice may be unable or unwilling to contract for such discharge, Be it further enacted, that where the employer of such apprentice, or any person or persons representing such employer, or the heirs or executors of such employer, or assigns of such employer having possession of such apprentice, shall refuse to contract with or effect the discharge of such apprentice or apprentices, upon tender to him made of the full value of the future services of such apprentice or apprentices, in good current gold and silver money of these Islands; or shall, by reason of any mortgage or settlement, or lease or charge upon or interest in the labour of such apprentice or apprentices being vested in any other person or persons, be unable to effect a valid discharge; or if the employer, or any person having an interest in the labour of such apprentice or apprentices, be a minor or married woman, lunatic or idiot; or if the employer of such apprentice shall be absent from these Islands without having any attorney or representative, or shall not be known; or if any suit or action shall be depending in any court of these Islands, wherein the title to the labour of the said apprentice, or the right to his or her services shall or may be in controversy; or where such employer, by means of any entry of actions or judgment obtained against him, may be debarred by law from disposing of any personal

personal property, in all or any such cases the special justice of the district to which the said apprentice or apprentices shall be attached, upon application to him made by such apprentice or apprentices, shall cause the employer, reputed employer or possessor of such apprentice or apprentices, to be summoned to appear before him, producing the said apprentice or apprentices, at any time being not less than 10 days from the time of such summons, and then and there to show cause wherefore he refused to accept value for the said apprentice or apprentices, and discharge him, her or them accordingly.

Clause 7. If he can prove to the satisfaction of such justice that such apprentice has been guilty of theft or felony, or receiver of stolen goods, or a runaway, the justice may stay proceedings, and enter the same in his journal.

And be it further enacted, that if the employer, reputed employer or possessor of such apprentice or apprentices, shall appear and show, to the satisfaction of the said justice, by means of one or more credible witness or witnesses, that the said apprentice wishing to purchase his or her discharge, has or had, at any time since his or her said apprenticeship, been guilty of any theft, larceny, or any crime or felony, or being knowingly, wilfully or wittingly the receiver of any stolen goods, or that the money to be paid by such apprentice as the price of his or her discharge, or any part thereof, was or has been dishonestly or fraudulently acquired, or if it shall be proven that the said apprentice has run away or absented himself or herself from the services of his or her employer or possessor for upwards of 20 days at one or several times during his or her said apprenticeship, or have been convicted of harbouring any other runaway apprentice, then in all or any such case or cases, it shall be incumbent on such special justice to stay further proceedings, and enter the same in his journal, which entry shall debar all further proceedings for the compulsory discharge of such apprentice or apprentices.

Clause 8. If he is unable to effect it by reason of the right being vested in other persons, or otherwise, chief justice may summon all persons before him to prefer such claim.

And be it further enacted, that in case any employer, or other person having any interest in the labour of such apprentice, shall be unwilling to effect his or her discharge, or shall by reason of any mortgage or settlement, or lease or charge upon or interest in the labour of such apprentice being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprentice; or if the employer, or any other person having charge upon or interest in the labour of such apprentice, shall be a minor or married woman, or idiot or lunatic, or shall be absent from these Islands, or shall not be known; or if any suit or action shall be depending in any court of justice in these Islands, wherein the right to the services of such apprentice may be in controversy; or if the employer of any such apprentice shall demand as a price for his or her discharge a greater sum of money than may appear to the said special justice to be the fair and just value of his or her future services, then and in each and every case as aforesaid the chief justice of the Court of Common Pleas, on application to him for that purpose made by such special justice, shall issue a summons under his hand and seal, requiring the employer or possessor of such apprentice to appear before him by themselves or their agents, at some convenient time and place to be in such such summons for that purpose appointed; and notice shall be published by the said special justice, by affixing the same to the court-house door of the time and place appointed for the purpose aforesaid; and in such notice all persons having or claiming to have any title or interest to the labour of such apprentice proposed to be discharged, either in their own right or as the agents, guardians, attorney, trustees or representative of any other person, shall be required to attend and prefer such claim.

Clause 9. On attendance the chief justice, in presence of the special justice, may hear in a summary way parties refusing, or unable from any cause to comply, Appraisers to be nominated, and how.

And be it further enacted, that at the time appointed for such meeting as aforesaid, the said chief justice, in the presence of such special justice, and also in the presence of the employer, if the apprentice so proposed to be discharged, or his agent or manager, or upon proof being made to him upon oath of the due publication of such notice as aforesaid, then, if necessary, in the absence of such employer, or his agent or manager, shall proceed to hear, in a summary way, what may be alleged by the said special justice, or by the employer or his agent or manager, or other person claiming interest in the labour of the said apprentice so proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by such special justice, or in case it shall be made to appear to the said chief justice that a valid and legal discharge of such apprentice cannot be effected by private contract, or that the employer or person entitled to the services of such apprentice, or any person having any charge upon or interest therein, is a minor or married woman, or idiot or lunatic, or is absent from these Islands, or cannot be found, or that any action is depending in any court of justice in these Islands, wherein the title to the future services of such apprentice is in controversy, then and in every such case the chief justice shall require the said special justice, and the employer or person representing such employer, if attending in pursuance to notice, each to nominate an appraiser of the value of the future services of such apprentice, and such chief justice shall nominate an umpire between such appraisers; but if such employer, or his or her representative, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said chief justice shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser in behalf of such owner or manager.

Clause 10. Appraisers to be sworn by the chief justice to make a fair and impartial appraisement, taking into consideration the qualities of the apprentice. Appraisement to be recorded.

And be it further enacted, that the appraisers to be nominated as aforesaid shall be duly sworn by and before the said chief justice to make a fair and impartial appraisement of the future services of such apprentice, taking into their consideration the qualities of the apprentice so proposed to be discharged, as well as his or her skill in any trade, domestic service or employment, or other labour whatsoever, with any other facts which, in the opinion of such appraisers, ought to influence them, or either of them, in their judgment, and within four days after such their appointment such appraisers shall make a joint valuation to the said chief justice under their hands and seals; and in case such joint certificate shall not be

so made and delivered to the said chief justice within the said four days, then the said umpire, being duly sworn in manner aforesaid, shall, within the next succeeding four days, certify the valuation of the said future services of such apprentice to the said chief justice; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or, on their default, by the said umpire, shall be binding and conclusive, and shall be entered and enrolled amongst the records of the said Court of Common Pleas of these Islands: provided nevertheless, that if the amount of such valuation shall not be paid in manner hereinafter mentioned, within 10 days next after the enrolment thereof, such enrolment shall be cancelled; and it shall not be lawful for such apprentice, or for the said special justice in behalf of such apprentice, again to institute proceedings as before mentioned for his or her discharge.

Clause 11. Chief justice to pay out of the monies supplied by the apprentice the appraised value to the employer, taking a receipt, which must be enrolled in the records of the Court of Common Pleas; or if the person entitled is absent, or has no legal attorney, or not known, the appraised value to be paid into the public treasury, to be held until the chief justice thinks fit to make an order when the money must be paid.

And be it further enacted, that upon or within 12 days from the date of such enrolment of the valuation aforesaid, it shall be lawful for the said special justice, out of the monies supplied to him for that purpose by the apprentice proposed to be discharged, to pay the employer or person entitled to receive the same the appraised value of the services of such apprentice, taking a receipt in writing from such employer or other person entitled to receive the same; and the chief justice shall, upon application to him made by such special justice, make an order for the enrolment of the said receipt in the records of the Court of Common Pleas; and the said chief justice shall by such order further proceed to declare and adjudge that the apprentice by or in behalf of whom such money hath been paid is discharged, and such apprentice shall be deemed free and exonerated from all claims upon him by or in behalf of such employer or employers, for or in behalf or in virtue of his former apprenticeship: provided always, that when the person entitled to the services of such apprentice shall be absent from these Islands, and having no legal attorney or representative therein, or shall not be known, or if any suit or action shall be depending in any court of justice for these Islands, wherein the right to his or her future services may be in controversy, or where the person entitled to receive the same shall refuse to give the necessary receipt, then and in all such cases it shall be lawful for the said special justice to pay the said appraised value into the public treasury of these Islands; and the treasurer's receipt for the same shall be sufficient for the purpose herein intended and provided; and the said treasurer shall hold the said money, subject to such order as the chief justice of the Court of Common Pleas for these Islands may, upon a summary application of any person interested therein, or their agents, see fit to make; and such money shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

Clause 12. Council and Assembly to fix a moderate scale of fees.

And be it further enacted, that the Council and Assembly for these Islands shall establish a moderate and reasonable table of fees and expenses to be paid and secured in the proceedings, for the compulsory discharge of any such apprenticed labourer as aforesaid.

Clause 13. By whom expenses to be paid.

And be it further enacted, that if any such appraisement as aforesaid shall have been rendered necessary by any difference of opinion between such special justice and the employer or employers, or his, or her, or their agent or agents, respecting the price to be paid for the apprentice proposed to be discharged, the expense of such appraisement shall be borne by such apprentice, and be added to the amount of the valuation if the services of such apprentice shall be appraised at a sum exceeding or equal to the price demanded by such employer or his agent, or exceeding the sum offered by such apprentice, or by such special justice in his or her behalf, as the price of his or her discharge; but in case the appraised value shall be less than the price previously demanded by his or her employer, or the agent of such employer, then the expense of such appraisement shall be wholly borne by such employer; and in case any such appraisement should have been rendered necessary by any other cause than a difference of opinion as to the price to be paid for the discharge of such apprentice, the expense of such appraisement shall be equally divided between such apprentice and his or her employer or employers.

Clause 14. Chief justice to make, from time to time, rules and regulations necessary for the jurisdiction hereby in him vested.

And be it further enacted, that it shall and may be lawful for the chief justice of the Court of Common Pleas to make and prescribe, and from time to time revoke and alter, as occasion may require, all such rules and orders as may and shall be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to, or interested in, any question so depending before him.

Clause 15. This Act to be deemed and taken as a Public Act.

And be it further enacted, that this Act shall be deemed, taken and received as a general Act, and all persons to take notice and govern themselves accordingly.

Dated at Tortola, the 19th day of July, in the year of our Lord 1834, and in the fifth year of the reign of His Majesty King William the Fourth.

Passed the Assembly, this 11th day of April 1834.

Thomas Wm. Crooke, Clerk of Assembly.

Passed the Council, this 11th day of April 1834.

By command, *Richard King*, Clerk of Council.

Thomas Marsh, Speaker.

(signed) *Wm. Roger Isaacs*, President.

— No. 38. —

Virgin Islands: Tortola.

AN ACT prescribing the Duties of Apprenticed Labourers and Employers respectively, and imposing Penalties for the non-performance thereof, and providing other Regulations for the maintenance of Good Order.

Preamble.

WHEREAS by an Act made and passed in the 3d & 4th years of His present Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it is amongst other things enacted, that from and after the 1st day of August 1834, all persons who, in conformity to the laws now in force in the said Colonies respectively, shall, on or before the 1st day of August 1834, have been duly registered as slaves in any such Colony, shall by force and virtue of the above-recited Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; and by the second section of the said recited Act it is provided, that during the continuance of the apprenticeship of such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if such recited Act had not been made:

And whereas by the 16th section of said before-recited Act it hath been submitted, amongst other things, to the several and respective Colonial Legislatures to frame, conformably with the said Act, certain laws and regulations intended for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence or neglect, or improper performance of work by any such apprenticed labourer, and for enforcing the due performance, by any such apprenticed labourer, of any contract into which he or she may voluntarily enter for any hired services during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention and punishment of vagrancy, or of any conduct on the part of such apprenticed labourer injuring, or tending to the injury of the property of such employer, and also for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourer, and for preventing the escape of any such apprenticed labourer from any of these Islands to which they may respectively belong:

And whereas it is also necessary, for the protection of such apprenticed labourer as aforesaid, that various laws should be framed and enacted for regulating the supply of food and clothing, medicine and medical attendance, and for securing punctuality in the distribution thereof; and also to secure to the prædial apprenticed labourers the enjoyment, for their own benefit, of that portion of their time during which they are not hereinafter required to labour in the service of their respective employers; and also that provision should be made for regulating the imposition of task work; and also that regulations should be made respecting any voluntary contract, and for limiting the period of time to which such voluntary contract may extend; and it is also necessary that regulation should be made for the prevention and punishment of cruelty, injustice, or other wrongs or injury which may be done to or inflicted upon any such apprenticed labourer by persons entitled to their services, and that a variety of other regulations should be made relating to such apprenticed labourer, conducive to the peace and good order of society: We, therefore, Your Majesty's dutiful and loyal subjects, the Governor and Commander-in-chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and in his absence the chief officer administering the government of the said Virgin Islands, and the Council and Assembly of the said Virgin Islands, do humbly pray Your most Excellent Majesty that it may be enacted,

Clause 1. Punishment for apprenticed labourers absenting themselves from their employer's service.

And be it, and it is hereby enacted, by the authority aforesaid, that for every hour in which any apprenticed labourer shall absent himself, herself or themselves from his or her or their employer's service without just and reasonable cause, he, she or they shall be compelled to serve in such service two extra hours: provided always, that such extra hours which he, she or they shall be compelled to serve as aforesaid, shall not exceed 15 in the whole in any one week.

Clause 2. If more than 7½ hours in one week, to be adjudged a deserter.

And be it further enacted, that any apprenticed labourer so absenting himself, herself or themselves from his, her or their employer's service as aforesaid for more than seven hours and a half in any one week, shall be adjudged a deserter, and he, she or they respectively shall, upon conviction, be adjudged to imprisonment with hard labour for any time not exceeding one week, at the discretion of the special justice to whom such offender shall be reported.

Clause 3. If for more than 2 days in one week, to be adjudged a vagabond.

And be it further enacted, that any apprenticed labourer so absenting himself, herself or themselves from their employer's service as aforesaid for two days in any one week, shall be adjudged a vagabond; and he, she or they shall, upon conviction, be sentenced to imprisonment with hard labour for any time not exceeding two weeks, with whipping not exceeding 15 stripes, or to either or both such punishments, at the discretion of the special justice to whom such offender or offenders shall be reported.

Clause 4. If for 6 days in succession, adjudged a runaway, and punishment.

And be it further enacted, that any apprenticed labourer so absenting himself, herself or themselves as aforesaid from his, her or their employer's service for six days in succession, shall be adjudged a runaway; and he, she or they shall, upon conviction, be sentenced to imprisonment with hard labour for any time not exceeding one month, and to whipping not exceeding 30 stripes, or to either or both of such punishments, at the discretion of the special justice to whom such offender or offenders shall be reported.

Clause 5. If the said apprentice performs his work indolently, carelessly or negligently, punishment thereof.

And be it further enacted, that any apprenticed labourer who shall perform his work indolently, carelessly or negligently, shall, upon conviction, for the first offence, be adjudged to work in his, her or their employer's service for any extra time not exceeding 15 hours in any one week, and for the second offence to confinement with hard labour for any time not exceeding one week, and for the third or any subsequent offence, to confinement with hard labour for any time not exceeding two weeks, with whipping not exceeding 20 stripes.

Clause 6. Injuring or endangering the property of employer, or not preventing others, punishment thereof.

And be it further enacted, that any apprenticed labourer who by the careless use of fire shall injure or endanger the property of his, her or their employer, or the property of any person or persons, or who shall in any manner, or by any means, wantonly or wilfully injure any of the property of his, her or their employers, or the property of any other person or persons, or shall permit such property to be injured by any other person or persons, he, she or they having the power to prevent the same, or shall neglect to report any such injury done to any such property to his, her or their employer, or the representative of such employer, he, she or they shall, upon conviction, be adjudged to extra labour in his, her or their employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement with hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30, or to one or more of any such punishments, at the discretion of the special justice to whom such offender or offenders shall be reported.

Clause 7. Neglecting, ill-using or injuring any cattle, or other live stock, liable to the punishments last aforesaid.

And be it further enacted, that any apprenticed labourer who shall injure, neglect or ill-use any cattle or other live stock intrusted to his, her or their care by his, her or their employer, or the representative of such employer, or shall, by wilful negligence, expose such cattle or other live stock, or any other property of his, her or their employer, or representative of such employer, or of any other person or persons intrusted by such employer or such representative to his, her or their care, to any damage or injury, he, she or they shall, upon conviction, be adjudged, at the discretion of the special justice to whom he, she or they shall be reported, to any one or more of the punishments last aforesaid.

Clause 8. Disobeying the lawful commands of their employer, liable as aforesaid.

And be it further enacted, that any apprenticed labourer who shall contumaciously disobey the lawful command of his, her or their employer, shall, upon conviction, be adjudged, at the discretion of the special justice to whom he, she or they shall be reported, to any one or more of the punishments last aforesaid.

Clause 9. Three or more agreeing to make resistance to the lawful commands of their employer, guilty of conspiracy, to imprisonment for six months.

And be it further enacted, that if any three or more apprenticed labourers shall agree together to make any resistance to the lawful commands of his, her or their employer, such apprenticed labourers so agreeing together shall be deemed guilty of an unlawful conspiracy, and shall, upon conviction before any special justice to whom they shall be reported, be severally adjudged to imprisonment with hard labour for any time not exceeding six months, with whipping not exceeding 39 stripes.

Clause 10. If engaged in open and combined resistance to the lawful commands of employer, adjudged to imprisonment last aforesaid.

And be it further enacted, that any three or more apprenticed labourers who shall be engaged in combined and open disobedience or resistance to the lawful commands of their employer, shall, upon conviction before any special justice to whom they shall be reported, be severally adjudged to the punishments last aforesaid, or any one of them.

Clause 11. If in a state of drunkenness, or found fighting, or conducting themselves in an insubordinate manner, punishment thereof.

And be it further enacted, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself, herself or themselves in an insolent and insubordinate manner towards his, her or their employer, or any person in the immediate superintendence of his, or her, or their labour, for every such offence shall be liable, on conviction, to imprisonment with hard labour not exceeding one week, or to whipping not exceeding 25 stripes, or to either or both such punishments, at the discretion of the special justice to whom he, she or they shall be reported.

Clause 12. Apprenticed labourer harbouring any runaway apprenticed labourer, or lodging same, and on employer's estate, liable

And be it further enacted, that any apprenticed labourer who shall harbour any runaway apprenticed labourer, or shall lodge, entertain or encourage any person or persons on the estate or premises of his, her or their employer contrary to the direction of such employer, shall, on conviction, be subject and liable to any one or more of the punishments last aforesaid.

to the punishment last aforesaid.

Clause 13. Taking up a residence in any house, &c. occupied by apprenticed labourers, or on his employer's estate without permission of such, and shall refuse or neglect to quit on being required, or found quarrelling with said labourers, punishment thereof.

And be it further enacted, that any person or persons whomsoever who shall take up a permanent or temporary residence or abode in any house or hut occupied by any apprenticed labourer on any estate, plantation or premises of the employer of such apprenticed labourer, without having first obtained permission in writing from such employer, or other person having the immediate care, management or possession of such estate, plantation or premises, or shall refuse or neglect to quit such house or hut, or estate, plantation or premises, on being required to do so by any such employer, or other person having the immediate care, management or possession thereof; or shall be found thereon quarrelling with any of the apprenticed labourers, such person or persons shall, if an apprenticed labourer, on conviction before any special justice, be adjudged to imprisonment with hard labour for any time not exceeding four weeks; and if other person than an apprenticed labourer shall be so convicted, he, she or

or they shall respectively be fined in any sum not exceeding 40 *s.*, or in default of payment committed to the common gaol for any time not exceeding one month: provided always, that no such consent or permission shall be refused to any person of good character having a wife or husband on any such estate or plantation, if asked for in a proper manner, which permission shall be enjoyed at proper times so long as he or she shall conduct himself or herself in a proper manner.

Clause 14. Three or more apprenticed labourers uniting in any riot or tumultuous assembly, manner of dispersing the same.

And be it further enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assembly, any justice of the peace for these Islands who shall be present, or the manager, overseer or other person having the charge or direction of any estate or plantation, or any other person, shall, in case he can make himself heard, desire all persons there present to separate and disperse quietly, or shall cause a white flag, if in the daytime, or if at night, shall fire a musket or pistol, as a warning, and all persons who at the expiration of five minutes from such desire to disperse, or the exhibition of such flag, or the firing of such musket or pistol, shall continue present at such riotous assembly, shall, if an apprenticed labourer, on conviction before any special justice, be liable to imprisonment with hard labour for any time not exceeding three months; or if any person other than an apprenticed labourer shall be convicted before any justice of the peace of these Islands of being present at such riotous or tumultuous assembly, and shall not disperse as hereinbefore required, such person so convicted shall be fined at the discretion of such justice of the peace in any sum not exceeding 5 *l.*, or in default of payment of such fine, to imprisonment for any term not exceeding six months.

Clause 15. No apprenticed labourer to reside beyond the district he resided in at the time this Act came into operation, without permission of his employer, nor to go beyond without a written pass.

And be it further enacted, that no apprenticed labourer shall reside beyond the limits of the district in which he or she may be resident at the time this Act shall come into operation, unless either by the consent in writing of his or her employer, and any labourer found beyond the limits of such district, except in his or her way to and from market, or to or from some place of public worship, and not having with him or her a written pass for that purpose from his or her employer, he or she shall be liable to be apprehended and detained until he or she can be conveniently conveyed before any special justice, and such person so apprehended shall, upon conviction, be adjudged a vagabond, and punished accordingly.

Clause 16. Any apprenticed labourer absenting himself 7 days or upwards from his employer's service deemed a runaway; punishment.

And be it further enacted, that any apprenticed labourer who shall for seven days or upwards absent himself from his or her employer's service without reasonable cause, shall, upon conviction before the special justice, be adjudged a runaway, and shall be sentenced to three months imprisonment with hard labour, or to any part of such imprisonment with hard labour, together with whipping not exceeding 39 stripes.

Clause 17. Labourers establishing themselves as a distinct community, neglecting the duties imposed by this Act, to be dislodged, and habitations and grounds destroyed; punishment.

And be it further enacted, that if it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have, without lawful authority, established themselves in any part of these Islands as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon him, her or them under and by virtue of this or any other Act of these Islands, such justice shall cause any such community to be dislodged, and, if necessary, shall cause their habitation to be taken down and removed, and provision ground and cultivation destroyed; and any apprenticed labourer convicted of having been a member of such community shall be liable to imprisonment with hard labour for any term not exceeding six months, or to whipping not exceeding 39 stripes, or to both such punishments, at the discretion of the special justice before whom such offender shall be taken.

Clause 18. During martial law no apprentice to leave the estate without a pass, except such appointed to any duty or service.

And be it further enacted, that on proclamation of martial law in these Islands, no prædial apprenticed labourers, excepting such only as shall be appointed to the performance of any duty or service, shall, during day or night, leave the estate or plantation to which he, she or they may respectively be attached, without having a written pass from his, her or their employer, and any such apprentice found off the estate or plantation to which they may respectively be attached during the continuance of such martial law, and not having such written pass, may be apprehended and lodged in gaol, and shall be punished, on conviction before any special justice, by confinement with hard labour for one week, or by whipping with 15 stripes, or both.

Clause 19. No apprentice to keep any horse or horned cattle, &c. on any estate without permission, otherwise to be dealt with as if in trespass.

And be it further enacted, that no apprenticed labourer shall graze, pasture or keep on the estate or plantation of his, her or their employer, or on the lands or premises of any other person or persons whomsoever, any horned cattle, horse, mare, gelding, sheep, hog or goat, without having first obtained the written permission of such employer or other person by whom such land or premises may be possessed; and in such written permission shall be expressed the number and description of any such cattle, horses, or other live stock he, she or they may be permitted to keep as aforesaid, and for what time and on what terms the same are to be kept; and any cattle, horse, mare, gelding, sheep, hog or goat kept by or found in the possession of any apprenticed labourer on such estate, plantation or lands as aforesaid, without he, she or they having first obtained such written permission as aforesaid, or kept, fed or pastured otherwise than according to the terms therein expressed, such cattle, horse or other stock, shall be dealt with in the same manner and subject to the same penalties as cattle, horses or other stock caught trespassing are subject and liable to under and by virtue of a certain Act of these Islands, intituled, "An Act for appointing Pound-keepers, and for the more effectually preventing and regulating Trespasses, and to repeal an Act for regulating Trespasses."

Clause 20. Any apprentice quitting these Islands, liable to imprisonment at the discretion of the special justice, not to extend to such in the personal attendance of their employers.

And be it further enacted, that any apprenticed labourer quitting or attempting to quit these or any one of these Islands to which he, she or they shall be respectively attached, shall, upon conviction, be liable to imprisonment with hard labour for any term not exceeding three months, at the discretion of any special justice before whom such offender shall be taken; provided nothing herein shall prevent, or be taken or deemed to prevent such apprentices going from one of these Islands to another within this government, in the personal attendance on his or her employer, or with a written pass from such employer as aforesaid.

Clause 21. In order to prevent the escape of such apprentices, no boat or other craft to anchor in any of the out-bays or creeks after sunset, except by stress of weather. How to be dealt with.

And in order the more effectually to prevent the escape of apprenticed labourers, Be it also enacted, that it shall not be lawful for any craft or boat of any description whatever, not belonging to any such place, to enter or anchor in any of the out-bays, creeks or inlets thereof, or to haul up any boat on the beach or sea-shore of any such place after sunset, unless going there on particular and lawful business, or compelled to enter by stress of weather or the appearance of danger, in either of which cases a report of such entry, and the cause thereof, shall be made with the least possible delay to the owner, manager, or other person resident on and having the care and direction of the estate or plantation, or other lands forming such bays, creeks or inlets; neither shall it be lawful for any craft or boat so entering to depart before the rising of the sun on the next morning, nor until such owner, manager or other person as above mentioned shall have an opportunity of examining and searching such craft or boat, which it shall be lawful for such person so to do; and if any craft or boat of any description shall after sunset anchor or be hauled up at any such place, having no such cause as above mentioned, or having any such cause, shall depart before the rising of the sun on the following morning, or without making such report, or shall avoid, prevent or resist the making of any such search, every such craft or boat shall be subject and liable to confiscation, and may be seized at any time by any person whatever, and delivered with an affidavit of the facts sworn to before any justice of the peace, to the treasurer of these Islands, who shall sell such craft or boat, paying to the person making such seizure one-third of the net proceeds thereof, and retaining the other two thirds to be applied by him to the use of the public of the said Islands; and any person on board of such craft or boat at the time of any such unlawful act as aforesaid, if an apprenticed labourer, shall, on conviction before any special justice, be adjudged to imprisonment with hard labour for any term not exceeding three months, or to whipping not exceeding 25 stripes; and if any person other than an apprenticed labourer, he shall, on conviction before any justice of the peace of these Islands, be fined in any sum not exceeding 10 *l.*, to to be recovered and applied in like manner as other penalties are in and by this Act directed.

Clause 22. Any persons removing, or assisting to remove, any such apprentice to be fined, and if the offender be an apprentice, to be imprisoned.

And be it further enacted, that all or any person or persons whomsoever removing or assisting to remove any apprenticed labourer from any of these Islands, in any boat or vessel, such person or persons shall, upon conviction before any of His Majesty's justices of the peace of these Islands, be fined in any sum not less than 10 *l.* nor exceeding 100 *l.*, and in default of payment, to imprisonment not less than one or exceeding six months; and if such offender shall be an apprenticed labourer, he or she shall, upon conviction before any special justice, be adjudged to imprisonment with hard labour for any term not exceeding six months.

Clause 23. Any such apprentice committing any offence against any Acts which would subject any other person to pecuniary fines, to be imprisoned, &c. according to the nature of the offence.

And be it further enacted, that if any apprenticed labourer shall commit any offence against any Act of these Islands which subjects other persons to pecuniary fines, such apprenticed labourer shall for any such offence or offences be taken before any special justice of these Islands, who shall upon conviction adjudge him, her or them to imprisonment with hard labour according to the nature of the offence, and the extent of the penalty imposed on other persons so offending by any such Act or Acts as aforesaid.

Clause 24. No such labourer exempt from liability to indictment, &c. which other persons are liable to, but not to be liable both under this Act and also under such law.

And be it further enacted, that nothing herein contained shall exempt any apprenticed labourer from his, her or their liability to any indictment, prosecutions or actions as other persons may be subject or liable to in respect to any act or acts by him, her or them done, or as accessory either before or after the fact, or for any other matter or thing for which any other person or persons would be liable to be sued, prosecuted or indicted; provided that no such apprenticed labourer shall be liable to be sued or prosecuted both under and by virtue of this Act, and under such general law as aforesaid.

Clause 25. Any person who shall harbour, entertain, &c. any such apprentice away from his employer's service, to be fined and imprisoned, also liable to the action of the employer for damages.

And be it further enacted, that any person not being an apprenticed labourer, who shall harbour, entertain or encourage any runaway apprenticed labourer, or shall inveigle, entice or persuade any apprenticed labourer from his, her or their employer's service, shall, upon conviction before any justice of the peace for these Islands, be fined in any sum not exceeding 20 *l.* or less than 5 *l.*, and in default of payment shall be committed to the common gaol for any time not exceeding three months, at the discretion of the justice before whom he, she or they shall be convicted, and shall moreover be subject to the action of the employer of such apprenticed labourer for damages.

Clause 26. All such apprentices adjudged to imprisonment with hard labour to work for 10 hours in each day, no one to converse with them, except by permission of the special justice.

And be it further enacted, that all persons who shall be adjudged to imprisonment with hard labour shall be compelled to work for 10 hours in each day, and shall when not so engaged, or when such hard labour shall be performed within doors, be kept in close confinement; and any person not being a prisoner or gaoler, shall not be permitted to have access to or converse with them, unless by permission of such special justice; and should any such person so adjudged evince a refractory spirit, or escape or attempt to escape, or show a disposition thereto, it shall be lawful for such special justice to order and direct such person to be worked in irons, or otherwise so secured as such justice may in his discretion deem necessary.

And

And be it further enacted, that no woman shall be subject to the punishment of whipping for any offence by her committed, but in all cases in this Act where that punishment is authorized, it shall be understood as applying to the cases of males only; and that all offences, in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by solitary confinement or any other punishment, at the discretion of such special justice.

Clause 27. No woman to be subject to the punishment of whipping, and for any offence which would subject a male to it, to be imprisoned in solitary confinement, &c. at the discretion of the special justice.

And be it also enacted, that when any apprenticed labourer shall be sentenced to confinement with hard labour, in order to save the expense of gaol fees and of feeding, by which the confinement might be prolonged, and to obviate the difficulty of enforced labour if such confinement should be in the public gaol, the same may take place, by order of the special justice trying the offender, upon the estate or plantation to which any such apprentice is attached or employed, the confinement to be during the intervals of relaxation from labour, to be fixed by such justice at the time of trial; and if any apprenticed labourer shall be imprisoned by the sentence of any such special justice, or by virtue of any judgment of court at any other place than the estate or plantation to which he or she is attached or employed on, the employer of such apprentice shall not be liable for any expenses incurred by such apprentice, nor shall any such apprentice be entitled to any provision or supply of food from his or her employer during the time such apprentice shall be absent from his or her employer's service: provided nevertheless, that if any such employer shall at the time of passing of any such sentence be indebted to any such apprentice in any sum for wages, for hired services or otherwise, the same shall at all times be applicable, in a regular course, to the payment of any such expenses or sum of money, for the payment whereof such apprenticed labourer shall be liable, so far as the same will go, to be ordered at the time of trial.

Clause 28. Any such apprentice sentenced to confinement with hard labour in the public gaol, in order to save expenses, may be confined on the estate; if not tried on the estate, employer not liable to any expenses.

And be it further enacted, that the employer or renter of any estate or plantation having prædial apprenticed labourers attached thereto, shall provide for such labourers all such medicine and medical attendance as shall be necessary; and that the medical attendant shall insert in a book, to be kept on such estate, whether employed by the year or otherwise, every visit by him paid; and if any patient shall be labouring under any dangerous or severe illness, he shall also insert in the said book the nature thereof, and his prescription of any particular kind of food or nourishment for such patients.

Clause 29. Employer of such apprentices to provide medicine and medical attendance; book to be kept, and manner of such attendance to be inserted, also the nature of the diseases, medicine, food, &c. prescribed.

And be it further enacted, that all prædial apprenticed labourers being ill, or complaining of being ill, shall immediately report himself or herself to the employer or chief superintendent; and should any such apprenticed labourer neglect so to report himself or herself to his or her employer, or his or her chief superintendent, such apprenticed labourer shall, for any time which he or she shall be absent from work and not so reported, on conviction be adjudged guilty of being absent from his or her employer's service, and dealt with accordingly.

Clause 30. Apprentices when sick must report such to the employer; neglecting so to do, and being absent, shall be so adjudged and dealt with accordingly.

And be it further enacted, that should any such apprenticed labourer at any time during the day or night, from the time of his being admitted into the hospital or sick-house on any estate or plantation, leave or absent himself or herself therefrom without having obtained the consent of his or her employer, or his or her chief superintendent so to do, he, she or they shall on conviction be adjudged guilty of disobedience of the orders of his, her or their employer, and punished accordingly.

Clause 31. Any such apprentice leaving the hospital without consent of employer, guilty of disobedience of orders, and dealt with accordingly.

And be it further enacted, that every employer of any prædial apprenticed labourer within these Islands shall weekly and every week give or cause to be given to each prædial apprenticed labourer in his, her or their service or employ, a sufficient quantity of good and wholesome food, that is to say, to each of the prædial apprenticed labourers above the age of 12 years, two pounds of salted provision, or four pounds of fresh fish and six pints of corn or beans or peas, or four pints of wheat or rye flour, or six pints of Indian corn meal, or four pints of oatmeal, or four pints of rice, or six pounds of cassava bread or farine, or six pounds of biscuit, or 20 pounds of yams, potatoes or other esculent roots, or 15 pounds of plantains or bananas; and to each of the other prædial apprentices such sufficient quantity, in the same proportion as the employer shall think proper, according to the different labour, size, strength, age or otherwise of such apprentice or apprentices: provided always, that every aged, infirm or sickly prædial apprentice being pronounced by the medical practitioner of any such prædial apprenticed labourer, or of the estate or plantation to which he, she or they shall be attached, as being incapable, by means of such age, infirmity or sickness, of labour, such prædial apprenticed labourer shall weekly and every week receive a full ratio of allowances as aforesaid, or such other nourishment and allowance as shall be requisite and necessary; all which provisions and nourishment shall be of good and wholesome quality.

Clause 32. Employer of such apprentices to give weekly, and every week, a sufficient quantity of good and wholesome food; provided, that when any such are pronounced incapable of labour from sickness or other cause to receive a full ratio of allowances.

And be it further enacted, that such allowance as aforesaid shall be given to the full extent only to such prædial apprenticed labourers (not being aged, infirm or sickly) who shall be absolutely engaged in the service, and working for such employer for the full time directed and allowed by law for such labourer to work in the service of such employer, for each week, and in proportion for any part or portion of such time such labourer shall have been for the preceding six days employed in his, her or their employer's service.

Clause 33. Full extent of allowance to be given only to such apprentices absolutely engaged and working in the service of their employer.

And be it further enacted, that every employer shall have the option of feeding such prædial apprentice or apprentices (except aged, infirm or sickly apprentices) to the first extent as hereinbefore directed, or of allotting to him, her or them a sufficient portion of land,

Clause 34. Every employer shall have the option of feeding to the full extent beforementioned, or of

allotting a portion of land properly adapted for the growth of provisions.

land, properly adapted for the growth of provisions, for the purpose of cultivation, not being less than one quarter of an acre for each such apprentice, and not more than two miles from the place of residence of the apprentices on any estate or plantation to which they may be attached, which shall be deemed taken and considered as equivalent and in lieu of the one half part of the farinaceous food, or esculent roots, or vegetables hereinbefore directed to be given to each such prædial apprentice weekly: provided always, that such portion of land, so allotted to the said apprentice or apprentices for cultivation, shall not be resumed or taken back during the term of such apprenticeship by such employer, until six months previous notice is given to such apprentice or apprentices, to enable him, her or them to reap any crop or crops planted therein; and on such notice being given, either other good and sufficient land shall be apportioned or attached to the said apprentice or apprentices in the same proportion as aforesaid, or the full weekly allowance hereinbefore directed shall be given and allowed.

Clause 35. To allow one day, comprising 7 ½ hours, for the purpose of cultivating such provision ground, and for every neglect to allowance regularly, for each and every day shall forfeit 1*s.* 6*d.*

And be it further enacted, that on all such estates or plantations when such land shall be allotted to such prædial apprenticed labourers as aforesaid, it shall be optional with the employer of such apprentice or apprentices (not being aged, infirm or sickly,) to allow one day, comprising 7 ½ hours, of the time directed and allowed by law for such prædial apprenticed labourer to work in the service of his, her or their employer in each and every week, to each and every such apprenticed labourer as aforesaid, for the purpose of cultivating such provision ground so apportioned as aforesaid, and such day shall be deemed, taken and considered as equivalent for such allowance of such farinaceous food, or esculent roots, or vegetables; and every such employer shall for every such apprentice which he, she or they shall neglect or refuse to allowance weekly as aforesaid, or for any day, or any portion of such day so given and allowed as an equivalent for such weekly allowance of farinaceous food, or esculent roots, or vegetables, which he, she or they shall withhold from any such apprentice, or for neglect or refusal to supply such other nourishment and allowance which shall or may be ordered for the aged, infirm or sickly by such medical practitioner in attendance thereon, or shall share out damaged or unwholesome food, shall, on conviction before the special justice, pay for each and every apprentice so neglected to be allowanced or provided for, or to whom such unwholesome food shall be shared, or for each and every day, or any part of such day, so withheld as aforesaid, the sum of 1*s.* 6*d.*, to be recovered and applied in manner hereinafter provided, as in case of non-payment of the consideration stipulated for in contract for task-work or extra services.

Clause 36. Such is not to prevent the employer from employing such apprentice on the day allotted to him, provided he gives an equivalent before the end of the ensuing week.

And be it further enacted, that nothing herein contained shall be deemed, taken or construed to prevent any employer from employing such apprenticed labourers, or any part of them, on such day as aforesaid, or any part thereof, in his, her or their service, provided he, she or they shall give to such apprentice an equivalent for such day, or any part thereof, in time or otherwise, before the end of the next ensuing week: and provided always, that in case of any unforeseen circumstance preventing such employer from receiving any allowance to be distributed as aforesaid, he, she or they may give to such apprenticed labourers a day in lieu thereof, or any other matter or thing which such apprenticed labourer, or the justice, shall deem equivalent to such allowance.

Clause 37. Every employer shall provide and give a proper allowance of clothing. Quantity of such.

And be it further enacted, that every employer shall once in every year provide for and give to each and every male adult prædial apprenticed labourer under his, her or their care, or in his ,her or their employment, a kersey pennistouns, or drugget jacket, or three yards of pennistouns, with seven yards of osnaburghs or checks, and six skeins of thread; to every female adult prædial apprentice a kersey pennistouns or drugget wrapper, or three yards of pennistouns, with seven yards of osnaburghs or checks, and six skeins of thread; and to children under the age of 12 years five yards of osnaburghs or checks, and two yards of pennistouns, with four skeins of thread, under a penalty of 2*l.* for every prædial apprentice neglected to be furnished as aforesaid, such penalty to be recovered and applied in manner hereinafter provided as in cases of non-payment of the consideration stipulated for in contracts for task-work or extra service.

Clause 38. Good Friday, Christmas and St. Stephen's days to be holidays, and none other.

And be it further enacted, that Good Friday, Christmas and St. Stephen's days, shall in every year be given and allowed to each and every prædial apprentice as holidays, and no other holidays shall be given or allowed.

Clause 39. No such apprentices shall be obliged to work for their employer more than 45 hours in any one week, except watchmen, &c. &c.

And be it further enacted, that no prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable, by virtue of such apprenticeship, to perform any labour in the service of his or her employer or employers for more than 45 hours in the whole in any one week, such time to be computed from the time such labourer shall arrive at the field or place where such labour is to be performed: provided always, that such limited time of labour shall not extend, or be taken or construed to extend, to any such prædial apprenticed labourer who shall be employed in attendance on stock, or as watchman, or by sentence of any special justice for any offence committed against this or any other Act of these Islands, which may subject him, her or them to labour for any extra time in his, her or their employer's service.

Clause 40. If the employer protracts such labour beyond that time, to forfeit 9*d.* per

And be it further enacted, that should the employer of any such prædial apprenticed labourer protract the weekly services of any such labourer beyond the period herein allowed for that purpose, he shall, upon conviction before a special justice, forfeit, for the benefit of such

such labourer, the sum of 9*d.* in respect of every hour which such service shall be protracted; and it shall be the duty of every such employer to intimate to the labourers in his employment the commencement and close of the legal hours of labour, for which purpose a signal shall be given in such manner as shall, in reference to each plantation or estate, have been approved by the special justice, which signal shall always be of such nature as to be distinctly visible or audible to the several apprenticed labourers resident on such estate.

hour; signal to be given when the legal hours begin and end.

And be it further enacted, that no apprenticed labourer shall be bound to undertake any task-work but with his or her own free assent to the same.

Clause 41. No labourer shall undertake any task-work but with his own free assent.

And be it further enacted, that the acquiescence of the minority of prædial apprenticed labourers attached to any plantation or estate, in the distribution and appointment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake, shall not be necessary, but the acquiescence of such majority, made and approved of in the manner and form hereinafter provided, shall be binding on the whole of such collective body.

Clause 42. The majority of such labourers willing collectively to undertake any task-work shall bind the minority.

And whereas much difficulty would occur in regulating the time for the completion of that portion of work of each department of the body of prædial apprenticed labourers attached to sugar estates during the time that they are absolutely employed in the manufacture of sugar, and circumstances connected with the process would render it wholly dependant on the labourers, and perfectly uncontrollable by the employer; Be it therefore enacted, that on all estates or plantations, when about to commence crop, and as often as circumstances may render it necessary, the special justice shall, in case he should be applied to by the employer or chief superintendent for that purpose, proceed within three days from such application to such estate or plantation, and then and there inform himself of the quantity of liquor which may be ground in one day, and converted into Muscovado sugar, by the uniform and proper exertion of the body to be employed, by his own observation, and by evidence collected from two or more neighbours, planters, who he shall summons for that purpose; and such justice shall then declare that the quantity fixed shall be the daily task for any time not exceeding 20 days from such inspection and decision thereon; and he shall also determine what shall be allowed to the apprentices, and how such allowance shall be distributed for each hundred gallons of liquor over and above the daily task so fixed, which such apprentices shall, with their own consent and by the desire of their employer, grind and convert into sugar, such allowance not to exceed one-tenth of the value per hundred weight of such sugar.

Clause 43. In time of crop the special magistrate when required shall by observation inform himself of the quantity of liquor ground or sugar made in a given time, and fix the rate of task-work.

And be it enacted, that every contract between the employer and the prædial apprenticed labourer or labourers for the performance of any specific work, or as a task, and in lieu of the prescribed daily labour, or the performance of any labour in extra hours, shall by such employer be reduced into writing, and entered into a book to be kept for that purpose on the plantation or estate.

Clause 44. All contracts between labourers and their employers shall be entered into a book to be kept for that purpose.

And be it further enacted, that no contract between the employer and prædial apprenticed labourer for the performance of any such specific task-work, or for the performance of any labour in extra hours, shall continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of the special justice, or unless, having been entered into in his absence, the same shall be confirmed or approved by him.

Clause 45. No contract shall be binding for more than 14 days unless entered into in the presence of the special magistrate, or confirmed by him, and none for more than one year.

And be it further enacted, that it shall be the duty of the special justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust; and in every such contract for task work, or for extra service, extending beyond the period of one fortnight, the nature and amount of such extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed, and no contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

Clause 46. It shall be the duty of the special justice to ascertain if any contract is accurately understood by such apprentice, and that the same is undertaken freely and voluntarily.

And be it further enacted, that upon proof being made to the satisfaction of such special justice of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to award execution against such employer for the amount of such consideration, and if the same shall not be paid within one week next after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be in form similar to the form in the Court of Common Pleas of these Islands for the recovery of debts under 20*l.*, and such writ of execution shall bear test in the name of, and be signed by, the special justice of the division; and such execution and attachment as aforesaid shall be directed to any special constable (not being an apprenticed labourer), who is hereby required to serve the same by levying on so much of the produce, utensils or other chattels, estate or plantation, or belonging to the person for whom such contract labour or task was performed, as may be necessary for the payment of such debt, and the produce, utensils or other chattels so levied upon by virtue of such execution shall, together with the time and place of sale, be advertised by affixing a notice thereof at some conspicuous place in the district, and which sale shall not take place before the sixth day from such levy and advertisement; and such produce, utensils or other chattels shall then

Clause 47. In case such contract money is not paid, the special justice may issue execution against employer, and sell produce, &c.

then and there be put up by such special constable, and knocked down to the highest bidder; and such special constable shall, within three days from such sale, pay to the person or persons the amount adjudged by such special justice to be due to them respectively for such extra services or task-work as aforesaid, and the surplus, if any, shall be delivered over to the defendant.

Clause 48. Any such apprentice violating the terms of such contract, liable to the same pains and penalties as if in the duties owing to his employer, and if 3 or more agree so to do, be deemed guilty of a conspiracy.

And be it further enacted, that any prædial apprenticed labourer violating or disregarding the terms of such contract as aforesaid for task-work or for extra service, shall be liable to the same pains and penalties as are hereinbefore provided in respect of the neglect or violation by any such labourer of the duties, or any of them, to be performed by such apprenticed labourer in discharge of the service owing by him by law to such his or her employer; and if three or more apprenticed labourers shall agree together to break or violate such contract, they shall, upon conviction, be deemed guilty of an unlawful conspiracy, and punished accordingly.

Clause 49. Every such prædial apprentice, although a married woman or an infant, is competent to enter into contract for task-work notwithstanding such coverture or infancy.

And be it further enacted, that any prædial apprenticed labourer, being a married woman, shall, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into any such contract as aforesaid for task-work, or for extra services; and in respect to married women, her coverture shall in no manner annul or abridge the right which her employer might or would have to her services in case such coverture did not exist.

Clause 50. Every employer committing an assault upon such apprentice by whipping, beating, &c. to be fined 10*l.*, or if such apprentice, instead of preferring the complaints to the special justice, to maintain a civil suit for damages.

And be it further enacted, that if any employer of such apprenticed labourer, or the representative of such employer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his or her person, such employer or representative shall, upon conviction before any special justice as aforesaid, be fined in any sum not exceeding 10 *l.*, or imprisonment for any time not exceeding one month, in the default of the payment of such fine: provided always, that it shall be competent for any such apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action, as in the case of any other person, for damages for such assault; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit or bind over such offender to take his trial for such offence at the next Court of King's Bench and grand sessions of the peace to be holden for these Islands; and in failure of sufficient bail, or if the offence should not be of a bailable nature, then to commit such offender to the common gaol, there to remain till delivered by due course of law.

Clause 51. Any persons, not being such apprentice, convicted by such justice of any offence under this Act may appeal to the Court of King's Bench.

And be it further enacted, that any person or persons, not being an apprenticed labourer, convicted by any special justice or other magistrate of any offence or offences under and by virtue of this Act, may, upon tender of good and sufficient bail, appeal from such conviction to the next Court of King's Bench and grand sessions of the peace to be holden for these Islands, where the offence shall be tried; and if such person or persons so appealing shall be found guilty, he she or they shall be fined or imprisoned, or both, at the discretion of such Court, in any sum, or for any time not exceeding the amount of fine or imprisonment, or both, which he she or they are declared subject and liable to for such offence or offences respectively, under and by virtue of this Act: provided always, that in case such conviction shall be for any offence enumerated in the clause next preceding, then such Court shall punish the offender with fine and imprisonment, or either or both, at their discretion.

Clause 52. A book to be kept on every estate, in which the manager must enter the quantity of food given, or anything in lieu thereof, also clothing, and when such apprentices are engaged in the service of employer, and when in task-work, &c. &c.

And be it also enacted, that on every estate or plantation on which apprenticed labourers are employed, the manager or person having the charge, care, direction or superintendence thereof, shall keep a book in which shall be inserted with precision the quantities of each particular article of food (or anything in lieu thereof) and clothing shared, furnished or supplied to every apprenticed labourer on the said estate or plantation, and at what particular times, as also the particular times when such labourers are engaged in the service of their employers, and if in the performance of extra work, whether the same is in pursuance of any contract voluntarily entered into for hire or work of necessity, and from what cause, the times during which any apprenticed labourer may be absent from his or her employer's service when they ought to be engaged therein, the nature of any offence committed by any apprenticed labourer, whether it be intended to lodge a complaint thereof or not, and all other matters and things which shall take place on the said estate or plantation on which any apprenticed labourer is in any manner concerned out of the usual course of occurrences thereon, and in which book the medical attendant thereon, whether employed by the year or otherwise, shall insert every visit by him paid; and if any patient shall be labouring under any dangerous or severe illness, he shall also insert in the said book the nature thereof, and his prescriptions of any particular kind of food or nourishment for such patient, and which book, on proof being made of the entries therein being truly and correctly inserted, shall be received as evidence in any court before any jurisdiction or authority in these Islands.

Clause 53. When any complaint is made to such special justice, in order to acquire the best information, to visit the estate, and inspect provision grounds and other matters, but to be done in the presence of the manager.

And be it also enacted, that if, from the nature of any complaint made to any justice of the peace so specially commissioned to hear and decide on complaints made by or against apprenticed labourers, it shall be necessary, in order to acquire such knowledge and information of the facts and circumstances connected therewith as cannot otherwise be obtained, it shall and may in every such case be lawful for such justice to visit the estate, plantation or other place whereon or to which the apprenticed labourer by whom or on whose behalf, or against whom such complaint was made, is resident or belonging, and to inspect the provision ground allotted to him or her, or make such inquiry and examination into all such matters relating

relating to such complaint as shall be necessary: provided always, that the same shall in every such case take place and be done in the presence and hearing of the employer, manager, overseer or other person having the care, management or direction, of such apprentice.

Clause 54. Every non-prædial apprenticed labourer or domestic not conducting himself properly shall be subject to the same punishments as prædial apprentices.

And be it also enacted, that every domestic and other non-prædial apprenticed servant or labourer, engaged in the performance of any work and labour other than such as appertains to any estate or plantation in these Islands, shall, during the term of his apprenticeship, perform in an honest, faithful and obedient manner, consistently with his or her employer's lawful and reasonable commands, such work and labour in his or her situation as such employer shall require to be done and performed by such domestic, or other servant or labourer; that he or she shall not be insolent, or guilty of any offensive, indecent or improper language or conduct, or be addicted to drunkenness, or quit his or her employer's service, or absent himself or herself therefrom at improper times, or without permission, during such period; and if any such apprenticed servant or labourer shall in any manner whatever fail in the due performance of his or her duties as required by this clause, or act contrary to the true meaning and intention thereof, he or she so offending, and being thereof lawfully convicted, shall for every such offence be subject and liable to the same punishments as the prædial apprentices are or may be subject to for the like offence.

Clause 55. Every employer of such non-prædial apprentice shall provide him with sufficient lodging, food, medical assistance; and neglecting so to do, liable to be punished as in case of prædial apprentices.

And be it also enacted, that every employer of any such apprenticed servant or labourer not engaged in the performance of any plantation work, shall provide every such servant or labourer with sufficient and proper lodging, food and clothing, such as servants and labourers in his or her situation have been usually supplied and provided with, and such medicines and medical assistance as shall be necessary, and that such employer shall not beat or punish in any manner whatever any such servant or labourer for any offence by him or her committed, but shall in every such case proceed in manner and form hereinbefore directed for the punishment of offences committed by prædial apprenticed labourers; and every employer failing to comply with the requisitions contained in this clause, or in any respect acting contrary thereto, shall in every such case be subject and liable, on being duly convicted thereof in like manner as for offences committed against prædial apprentices, to any fine not exceeding 5*l.*, nor less than 1*s.*, to be recovered and applied as other fines are by this Act directed to be recovered and applied.

Clause 56. Any persons legally in possession of the services of apprenticed labourers shall be considered as the employer, and any offences committed against the deputy or representative of such, shall be considered as against the employer.

And be it further enacted, that the person legally in the possession of, or having the legal right or title to the services of any slave becoming apprentices under and by virtue of the before recited statute passed in the 3d & 4th years of the reign of King William the Fourth, or having the right in the services of any apprentice or apprentices by virtue of any indenture or instrument made conformably with such statute, or the attorney, agent, executor or administrator or assigns of such person, or the person hiring the services of such apprentice or apprentices from them, or either or any of them, shall be deemed, taken and considered for the purposes of this Act, as the employer of such apprentice or apprentices; and any person or persons entrusted or empowered by such employer with the chief superintendence and direction of the labour of such apprentices, shall be deemed as the representative of such employer, and any offence committed by any apprenticed labourer against such representative, or the deputy or deputies of such representative, or any disobedience of his or their orders, shall be deemed, taken, considered and treated as an offence committed against the employer; and wherever words are used in this Act importing the singular number or the masculine gender only, yet this Act shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Clause 57. All fines and penalties under this Act to be in current gold and silver money.

And be it further enacted, that all fines and penalties imposed under and by virtue of this Act, shall be deemed and taken to be imposed in current gold and silver money, and shall in all cases herein not otherwise provided, be paid into the treasury of these Islands, for the public uses thereof.

Clause 58. Any person refusing to comply with any of the requisitions of this Act to which a penalty is not attached, liable to fine by the special justice.

And be it further enacted, that any person or persons refusing or neglecting to comply with any of the requisitions of this Act to which an express penalty is not hereinbefore attached, shall, upon conviction before any special justice of the peace of these Islands, be subject to any fine not less than 5*s.*, or more than 5*l.*, or in default of payment, to imprisonment to any time not exceeding one month.

Clause 59. This Act to be in force on the 1st day of August 1834.

And be it further enacted, that this Act shall be in force on the 1st day of August 1834, and not before, and shall thenceforward be deemed a General Act, and all persons to take notice and govern themselves accordingly.

Clause 60. Act to be published in the usual places.

And be it further enacted, that this Act shall be published and proclaimed in the usual places.

Dated at Tortola, this 19th day of July, in the year of our Lord 1834, and in the fifth year of the reign of His Majesty King William the Fourth.

Passed the Assembly, this 16th day of April 1834.

Thomas William Crooke, Clerk of Assembly.

Passed the Council, this 16th day of April 1834.

By command, *Richard King*, Clerk of Council.

Thomas Marsh, Speaker.

(signed) *William Roger Isaacs*, President.

VIRGIN ISLANDS: TORTOLA.

Appendix (B.)

Colonial Laws. No. 39.

— No. 39. —

Virgin Islands: Tortola.

AN ACT for prescribing the Powers and Duties of Special Justices, and for defining the Jurisdiction of the same.

Preamble.

WHEREAS by the 14th section of an Act of the Imperial Parliament of Great Britain, made and passed in the 3d & 4th years of His present Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves," it is enacted, that it shall and may be lawful for His Majesty to issue, or to authorize the Governor of any such Colony, in the name and on behalf of His Majesty, to issue, under the public seal of any such Colony, one or more special commission or commissions to any one or more person or persons, constituting him or them a justice or justices of the peace for the whole of any such Colony, or for any parish, precinct, quarter or district within the same, for the special purpose of giving effect thereto, and to any laws which may in any manner thereinbefore mentioned be made for giving more complete effect to the same: We, therefore, Your Majesty's dutiful and loyal subjects, the Governor and Commander-in-chief of Your Majesty's Islands of Antigua, Barbuda, Montserrat, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and in his absence the chief officer administering the government of the said Virgin Islands, and the Council and Assembly of these Your Majesty's Virgin Islands, humbly pray Your most Excellent Majesty, that it may be enacted and ordained, and it is hereby enacted and ordained by the authority aforesaid, that on every plantation or estate the special justice of the peace shall appoint one or more of the male apprenticed labourers thereon, with the consent and approbation of the employer thereof, to be special constables, who shall be empowered to maintain peace and order on such plantation or estate, under the direction of the owner or manager thereof, or employer of the apprenticed labourer thereon, and to secure and place in confinement when absolutely necessary any apprenticed labourer who shall commit any offence on such plantation or estate, or any apprenticed labourer not employed on such plantation or estate who may be found loitering thereon without the knowledge and permission of the owner or manager thereof, such apprentice confined as aforesaid to be not kept in custody longer than shall be necessary to obtain the trial of such apprentice before a special justice of the peace: provided always, that no such apprentice shall be kept in confinement beyond 24 hours before trial, unless by order of any such justice; provided nevertheless, that such trial shall take place as soon as possible after such release; and provided always, that nothing herein contained shall be construed to give any such constable appointed as aforesaid any power or authority over any of His Majesty's subjects other than apprenticed labourers.

Clause . Special constables may be appointed out of the apprenticed labourers by consent of the employer.

Clause 2. The deputy provost-marshal, or any constable, may execute any writ or other process as directed by the special justice.

And be it further enacted, that the deputy provost-marshal, or any constable of these Islands, is hereby authorized and required to execute any writ or attachment, or to serve any summons, warrant or other process to him or them directed by such special justice, or to do any other matter or thing for the more effectually carrying into effect the provisions of any of the Acts of these Islands passed conformably to the said Act of the Imperial Parliament aforesaid.

Clause 3. Said justice to hold a session once a week, or oftener if necessary.

And be it further enacted, that every such special justice of the peace shall one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him, and which shall and is hereby directed to be open and public to all and every and any person or persons who may please to attend.

Clause 4. He shall keep a journal of all the cases brought before him, which is to be kept as a record in his office.

And be it further enacted, that every such special justice of the peace shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the name of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which the circumstances of the case may call for: and he shall and he is hereby required to take all complaints, accusations, charges or informations in writing, which shall be sworn to in due form of law, and such justice shall file the same, and keep them of record in his office ready to be produced as occasion may require.

Clause 5. If any complaint brought before him is considered immaterial he may dismiss it.

And be it further enacted, that if any complaint or accusation made to any special justice shall appear to him on previous inquiry, which he is hereby allowed to make prior to his reducing the same into writing as before directed, immaterial and not to deserve further consideration, he may dismiss the same, unless the person appearing before him shall insist upon proceeding therewith.

Clause 6. No apprenticed labourer to have in his possession fire-arms, gunpowder, &c. without consent of employer.

And be it further enacted, that it shall not be lawful for any apprenticed labourer to have in his or her possession any gunpowder, fire-arms or other offensive weapons of any description whatever, without the knowledge, consent and approbation of his or her employer, or the representative of such employer, and that every such offender, on conviction before any special justice, shall be adjudged to confinement with hard labour for any time not exceeding three months, or to whipping not exceeding 39 lashes, or to both of such punishments, at the discretion of the said special justice; and every employer of, or manager, overseer,

overseer, or other person having the direction or superintendence of any apprenticed labourer or labourers, and all constables, special constables, and other persons in authority, civil or military, within these Islands, are hereby required to dispossess any such apprentice or apprentices of any gunpowder, muskets, pistols, swords, cutlasses, pikes, spears, daggers or other offensive or dangerous weapons, which he, she or they may have in his, her or their possession without such permission, and cause the same to be delivered to or as directed by the Governor, to be disposed of or kept in such place of security as he shall order; and in order to prevent a collection of gunpowder and offensive and dangerous weapons getting into improper hands, by which the safety of the Colony may be endangered, that any justice of the peace for these Islands may, on receiving such information as shall show a probability of any such collection being making, to give authority to such proper persons as he may appoint to search any such suspected depositories of arms or gunpowder for improper purposes as he may receive information of.

Any justice of the peace may search for such suspected depositories.

And be it further enacted, that upon any complaint or information to any special justice of the peace, made by or against any apprenticed labourer, for or on account of any matter or thing or offence against the provisions of this or any other Act or Acts relating to apprenticed labourers and their employers, or which is or may be incidental to or arising out of the relation of any apprenticed labourer to his or her employer, or the person entitled to his or her services, or upon or for the infliction of any corporal punishment upon any apprenticed labourer by his or her employer, or upon or for any breach of the peace by any apprenticed labourer upon the person of his or her employer, it shall and may be lawful for the special justice of the peace before whom any such complaint or information is made or lodged, and he is hereby directed to receive and take the same in the manner and form aforesaid, and to hear, and in a summary manner determine the same, either dismissing such complaint or information as frivolous or vexatious, or malicious, and summarily punishing the party bringing the same as hereinafter directed, or sentencing, on conviction, the party complained against to any of the pains and penalties particularly prescribed for such offence as he or she shall have been found guilty against this or any other Act or Acts of these Islands, passed or to be passed in conformity with the said Act of the Imperial Parliament aforesaid.

Clause 7.
The special justice may proceed to examine in a summary manner any complaint brought by or against any such apprentice.

And be it further enacted, that upon the preferring or lodging of any accusation, charge or information imputing to the party charged a capital or transportable offence, or upon or for the infliction of any corporal punishment upon any apprenticed labourer by his or her employer, or upon or for any breach of the peace by any apprenticed labourer upon the person of his or her employer, it shall and may be lawful for the special justice of the peace receiving the same, and he is hereby directed, after having taken the said accusation, charge or information in the manner and form hereinbefore prescribed, to issue his warrant for the apprehension of the alleged offender, and having him or her before him, to commit him or her to the common gaol of these Islands; or if the alleged offence is one bailable by law, to take bail in such sum as to the said justice shall seem sufficient, with one or more responsible sureties, who is or are to justify, should the said justice so please, for the appearance of the said alleged offender at the Court of King's Bench and quarter sessions of the peace then next to be holden for the said Islands, then and there to answer to any prosecution that may be preferred against him or her by the party complaining; and the said special justice of the peace is hereby further empowered, in cases of any capital or transportable offence, to bind over the party accusing to prosecute such alleged offender for such offence at the said court.

Clause 8.
In complaints for offences such justice may issue his warrant, examine, and either commit or bail the offender.

And be it further enacted, that upon the taking in the manner and form hereinbefore prescribed, by any special justice of the peace, of any complaint or information made by any apprenticed labourer, or by any employer of any apprenticed labourer, for or in respect of any matter, thing or offence against the provisions of this or any other Act or Acts passed or to be passed relative to apprenticed labourers or their employers, or the persons entitled to their services (other than a capital or transportable offence, or in cases where there is reason to apprehend that the party charged would endeavour to escape, or in all cases when there is reason to apprehend danger to the public peace from delay), the said special justice shall summon the person complained against or informed upon to appear at a time and place to be named in such summons; and if he or she shall not appear accordingly, then, upon proof upon oath of the due service of the said summons upon such person, by delivering the same to him or her personally, or by leaving the same at his or her usual place of abode, or by reading the same to him or her, the said special justice may, unless a good and sufficient cause for such non-attendance be made, issue his warrant to the deputy provost-marshal or to a constable for compelling the same, and may, should he deem it necessary, bind over the person so complained of by recognizance to appear before him at such time and place as he shall appoint for hearing and deciding upon such complaint; and should such person refuse to enter into such recognizance and give the required security for his or her appearance, such person shall, by order of the said justice, be sent to gaol, or, if any apprenticed labourers, to gaol or such other place of confinement as the said justice shall think proper to order, there to remain until the time appointed for the hearing, or until such recognizance shall be entered into; and such justice shall upon conviction sentence such offender to the punishment or punishments prescribed in and by this or any other Act or Acts to the commission of the particular offence he or she hath been so convicted of.

Clause 9.
But where there is no fear of escape, said justice may summon parties to appear.

Clause 10. Any person against whom a charge is preferred may obtain a copy of same in writing.

Provided always, and be it further enacted, that all or any person or persons who shall have preferred against him, her or them any complaint, charge or accusation or information, shall at any time, upon demand made to the special justice of the peace receiving the same, be entitled to a sight, and also a true copy, if required, of such complaint, charge, accusation or information reduced into writing as aforesaid.

Clause 11. On proceeding in the charge said justice must read over the charge to the defendant, or in presence of some person appearing in his behalf.

And be it further enacted, that at the time and place specified in any summons issued by any special justice for proceeding upon any complaint, charge or information preferred or lodged before him, such special justice shall, in the presence of the party complained against, or charged or informed upon, if in attendance, or in the presence of any other person attending on his or her behalf, read over the complaint or charge or information subscribed and sworn to in the manner and form hereinbefore directed, and shall take in writing the plea or answer of the party complained against, or charged or informed upon, whether guilty or not guilty, if he or she be in attendance; and the said special justice shall examine all the witnesses in support of the said complaint, or charge or information, and then examine all the witnesses on the part of the party complained against, or charged or informed upon, and shall take in writing the evidence of any or all of the witnesses on either side, which, when finished, shall be read, signed or marked, certified and attested, in the manner and form directed in cases of complaints, charges, accusations or informations made before, and taken and received by any special justice.

Clause 12. Employer of such apprenticed labourer may proceed by indictment in the first instance, if he thinks proper.

Provided always, and it is hereby enacted and declared, that nothing herein contained shall prevent or be construed to prevent any employer of any apprenticed labourer, on whose person any breach of the peace may have been committed by any such apprenticed labourer, from applying for redress by warrant from any justice of the peace for these Islands in the first instance, and by indictment in ordinary form of law, if he or she shall prefer so doing to complaining to the special justice: provided always, that any punishment by summary conviction and sentence of such special justice under this Act, inflicted on any apprenticed labourer for any such breach of the peace, shall be a bar to any further punishment for the same by any superior court of criminal jurisdiction within these Islands, anything herein contained to the contrary in anywise notwithstanding.

Clause 13. Such justice may issue his summons for the attendance of witnesses; how to proceed if such is not attended to.

And be it enacted, that the special justice before whom any witness or witnesses shall be required to give testimony in support or in refutation of any complaints or accusations made by or against any apprenticed labourer, is hereby empowered and required to issue his summons respecting the time and place when and where such witness or witnesses is or are to give his, her or their attendance; and in case of the non-attendance of any such witness, upon due proof being made of the service of such summons upon him or her, such justice is hereby required to issue his further summons, calling upon such non-attending witness to be and appear at such time and place as shall be therein specified, to show cause for such non-attendance, and failing so to do, on his or her oath, or by the oath of some other person, or if he or she shall not attend such further summons, due proof of service thereof being made, he or she shall, if an apprenticed labourer, be imprisoned by order of such justice, with hard labour, for any time not exceeding three nor less than one month, or if any other than an apprenticed labourer, fined in any sum not exceeding 5*l.* to the use of the person on whose behalf he or she was summoned to give evidence, and in default of payment, the same to be levied on his or her goods and chattels, and for want thereof, to be imprisoned for any time not exceeding three nor less than one month.

Clause 14. Any person giving false testimony to be liable to all penalties of perjury.

And be it further enacted, that if any person or persons, upon examination on oath or affirmation before any special justice or any commissioner appointed or to be appointed conformably to the said Act of the Imperial Parliament, shall wilfully and corruptly give false evidence, or shall in such affidavit or deposition wilfully or corruptly swear, affirm or allege any matter or thing which shall be false or untrue, every such person or persons so offending, and being thereof duly convicted, shall be and is and are hereby declared to be subject and liable to the pains and penalties of persons convicted of wilful and corrupt perjury.

Clause 15. In case there is no witness other than the person making the charge, said justice may take the oath of the accused, except for an indictable offence.

And be it further enacted, that in case there is no witness in support of any complaint, charge, accusation or information, but the person making the same, it shall and may be lawful, and the special justice is hereby required and directed to take the oath of the party complained against, accused or charged or informed upon, he or she consenting thereto, and the said special justice is hereby required to take the same in the same manner and form as hereinbefore directed by this Act to be made and taken in cases of complaints or accusations, charges or informations made, preferred or adjudged before any such special justice: provided always, that such oath shall not be made, taken or received in any case which imputes to the party charged a capital or transportable offence, or disobedience of orders by any apprenticed labourer to the lawful commands of his or her employer, or any insolence or insubordination, or breach of the peace, on the part of any apprenticed labourer to his or her employer; and provided also, that evidence shall in all such cases be received, when necessary, as to the credibility of any witness, and that such special justice shall, should any doubt arise, satisfy himself, previously to the swearing of any witness, that he or she hath a competent knowledge of the nature and obligation of an oath.

Clause 16. Said justice may adjourn his proceedings, and commit the party charged, if necessary.

And be it further enacted, that any special justice before whom any complaint, charge or accusation or information is made, may from time to time adjourn any proceedings therein, and if necessary shall commit the party charged with a capital or transportable offence

offence to custody, if an apprenticed labourer, to the house of correction or any other place of confinement established by law, and if any other person, to the common gaol of these Islands, pending such adjournment, or to take bail, if such offence is by law bailable, for his future appearance.

Clause 17. All fines, &c. imposed to be paid into the hands of the justice who imposed them; who to be given to.

And be it further enacted, that all fines and penalties imposed by this Act to the use of the party damnified, shall be paid into the hands of such special justice of the peace who imposed the same, and he is hereby directed to pay over the same to the party entitled thereto, taking an acknowledgment from the party receiving, if he shall see fit.

Clause 18. Any special justice awarding any punishment not authorized by law, liable to action of party aggrieved.

And be it further enacted, that any and every special justice under this Act awarding to any person any punishment not authorized by law for him to award, shall be subject and liable to the action or suit of the party aggrieved by the award of such unlawful or unauthorized punishment.

Clause 19. The special justice shall protect the apprenticed labourers in any suit or action, as owners of slaves did before the 1st August.

And be it further enacted, that in all prosecutions or actions in any of the superior courts of the said Virgin Islands, in which any apprenticed labourer appears as plaintiff or defendant, or in which any such apprenticed labourer may be concerned, that the special justice of the peace in which such apprenticed labourer resides, shall appear on the part of and prosecute for, or defend, or otherwise protect, any such apprenticed labourer or his interests, in the same manner as owners of slaves, before the 1st day of August 1834, did protect the interests of their slaves.

Clause 20. Special justice may address summonses, warrants, &c. to the deputy provost-marshal, or to any constable.

And be it enacted, that all summonses, warrants, commitments and other process to be issued by any special justice, shall be executed by, and such justice is hereby authorized to issue and address the same to the provost-marshal of these Islands, or his lawful deputy, or to any constable of the said Virgin Islands.

Clause 21. All fines and penalties to be in current gold and silver money.

And be it further enacted, that all fines and penalties imposed in and by virtue of this Act, shall be and the same are of current gold and silver money of these Islands.

Clause 22. Any such apprentice absenting himself from employer's service must make reparation for the loss of time, by after servitude.

And be it enacted, that if any apprenticed labourer shall, during the term of his or her apprenticeship, wilfully absent himself or herself from the service of his or her employer, or commit any offence for which he or she shall be sentenced to confinement, by which the employer of such apprentice shall lose his or her services, that such apprentice shall be subject and liable to make satisfaction for the loss thereby sustained by such employer, by working in the service and for the benefit of the person or persons so entitled to his or her services for so long a time, during the hours by this Act allowed to him or her for his or her benefit, as shall be equal to the loss so sustained by any such absence, so that such extra service shall not in any case exceed 15 hours in any one week; or if full compensation shall not thereby be made to the person or persons entitled to the services of any such apprentice for the loss sustained by any such absence, that such apprentice shall be liable to a prolongation of his or her apprenticeship after the original term shall have expired, for so long a time as will be sufficient to make up such loss: provided always, that no such additional or new apprenticeship shall be compellable after the expiration of seven years next after the termination of such original apprenticeship.

Clause 23. All recognizances to be delivered to the clerk of the Crown 7 days previous to the sitting of the court.

And be it further enacted, that every special justice of the peace who shall take any recognizance under this Act shall, seven days preceding the sitting of the Court of King's Bench and quarter sessions of the peace, holden in and for these Islands next after the taking of the same, transmit such recognizance to the clerk of the Crown of these Islands, by him to be kept among the records of the said court, for the purpose of any prosecution which the party aggrieved may please to institute.

Clause 24. Any person other than such apprentice, aggrieved by sentence of special justice, may appeal. Mode of.

Provided always, and be it further enacted, that in all cases any person other than an apprenticed labourer who shall think himself or herself aggrieved by any such conviction, may appeal to the next Court of King's Bench and quarter sessions of the peace, which shall be holden not less than 12 days after such conviction; provided that such person shall give to the complainant a notice in writing of such appeal, and of the cause and matter thereof, within three days after such conviction, and seven clear days at the least before the first sittings of such Court, and shall also either remain in custody until the said first sittings, or enter into a recognizance with two sufficient sureties, who shall justify upon oath, if necessary, before a special justice of the peace, conditioned personally to appear at the said King's Bench or quarter sessions of the peace, and to try such appeal, and to abide the judgment of the Court thereupon, and to pay such costs as shall be by the Court awarded; and upon such notice being given, and such recognizance being entered into, the justice before whom the same shall be entered into, shall liberate such person if in custody, and the said court at its first or subsequent sittings shall hear and determine the matter of the appeal, and shall make such order therein, with or without costs to either party, as to the said Court shall seem meet; and in case of dismissal of the appeal or the affirmance of the conviction, shall order and adjudge the offender to be punished according to the conviction, and to pay such costs as shall be awarded, and shall, if necessary, issue process for enforcing such judgment.

Clause 25. Any prosecution against any special justice for

And for the protection of the special justices of the peace acting under this or any other Act or Acts passed or to be passed respecting the relation subsisting between apprenticed labourers

anything done in pursuance of this Act to be commenced within six months. Notice to be given.

labourers and their employers or other persons entitled to their services, Be it enacted, that all actions and prosecutions to be commenced against any such special justice of the peace for anything done in pursance of this or any other Act or Acts as before mentioned, or by mistake or misapprehension in the conception, or under the impression that he was acting under any of the same, shall be commenced within six calendar months after the fact committed, and not otherwise, and notice of such action, and of the cause thereof, shall be given to the defender one calendar month at least before the commencement of the action; and no such action or prosecution shall be commenced against any such special justice of the peace for any thing done in the execution of his office, until such notice in writing of such intended commencement of such action or prosecution shall have been delivered to him; and in any such action or prosecution the defendant may plead the general issue, and give this or any other Act or Acts before mentioned, and the special matter, in evidence at any trial to be had thereupon, and no plaintiff shall recover in any such action if tender of sufficient amends is proved on any such trial to have been made by any such special justice of the peace before such action brought; and in any such action, if any such special justice of the peace shall at any time before judgment tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred, then upon proof thereof produced at the trial of such action, and that sufficient amends had been tendered and refused, judgment shall be given for the plaintiff in the amount only of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue any such action after issue joined, or upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover treble costs of suit, and have the like remedy for the same as any defendant hath by law in other cases; and although a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant unless the chief or other justice presiding in the court in which such action is tried, shall certify his approbation of the action and of the verdict obtained thereupon.

Clause 26. If any such justice shall abuse the powers in him vested, liable to action at suit of party.

And be it further enacted, that if any special justice of the peace shall exceed or abuse the powers in him vested by this or any other Act passed or to be passed in pursuance of the said Act of Parliament for the abolition of slavery, he shall be subject and liable to the action or suit of the party aggrieved; and if any person shall recover a verdict against him in such action or suit, such person so recovering a verdict against him shall be entitled to receive treble costs from such special justice of the peace.

Clause 27. Special justices are under the same protection, and governed by the same rules as other justices.

And for providing for any omission as to the protection, or as regards the responsibility of any special justice of the peace, Be it further enacted, that all any and every such special justice of the peace within the said Virgin Islands are and is hereby declared to be under the same protection, liable to the same responsibility, and governed by the same rules, as all or any other justices of the peace of England or of the Virgin Islands are, or is, or may be by the common law, or by any statute of Great Britain, or by any other Act of the said Virgin Islands.

Clause 28. Instrument of punishment to be a cat-o'-nine-tails.

And be it further enacted, that the instrument to be used in the infliction of corporal punishment by flogging under this Act, shall be a cat-o'-nine-tails similar to those used for the purpose in His Majesty's navy.

Clause 29. This Act to be deemed and taken to be a general Act.

And be it further enacted, that this Act shall be deemed, taken and considered as a General Act, and shall be taken notice of as such by all judges, justices and jurors, and other persons whomsoever, without specially pleading or showing forth the same.

Dated at Tortola, this 19th day of July 1834, and in the fifth year of His Majesty's reign.

Passed the Assembly, the 8th day of April 1834.

Thomas Wm. Crooke, Clerk of Assembly.

Passed the Council, the 23d day of April 1834.

By command, *Richard King*, Clerk of Council.

Thomas Marsh, Speaker.

(signed) *Wm. Roger Isaacs*, President.

— No. 40. —

Virgin Islands:—Tortola.

No. 40.

AN ACT to regulate the removal of prædial Apprenticed Labourers from one plantation or estate to another; the Alienation, by sale, inheritance or will, of the Services of Apprenticed Labourers; the Apprenticeship of Children of Apprenticed Labourers; and the relation in which Apprenticed Labourers will stand towards the State in the said Virgin Islands; and thereby to carry more effectually into operation the enactments contained in that behalf in an Act of the Imperial Parliament of Great Britain, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves".

Preamble.

WHEREAS it is deemed expedient to provide for the removal of prædial apprenticed labourers from one plantation or estate in this Colony to another, to regulate the manner in which

which the services of apprenticed labourers shall pass, by sale, inheritance or otherwise, and to establish rules for the apprenticeship of children who shall not have attained the age of six years on the 1st day of August 1834, and of those thereafter to be born of apprenticed labourers, conformably with certain provisions of an Act of Parliament of the 3d & 4th years of His Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies: We, therefore, Your Majesty's dutiful and loyal subjects, the Governor and Commander-in-Chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and in his absence, the chief officer administering the government of the said Virgin Islands, and the Council and Assembly of these Your Majesty's Virgin Islands, do humbly pray Your most Excellent Majesty that it may be,

Clause 1. That no apprenticed labourer shall be liable to work for employer on any other estate than the one they were usually employed upon previously to 1st August 1834, except by consent of two special justices; such consent to be attested and recorded.

And be it, and it is hereby enacted by the authority of the same, that no prædial apprenticed labourer who may, in the manner provided and declared of and concerning the same in and by the said hereinbefore mentioned Act of Parliament, become attached to the soil, shall be subject or liable to perform any labour in the service of his or her employer or employers, except upon, or in, or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the 1st day of August 1834: provided nevertheless, that with the consent in writing of any two or more justices of the peace holding special commissions, it shall and may be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his, her or their services to any other estate or plantation within the same Colony to such person or persons belonging; which written consent shall in no case be given, or be of any validity, unless any such justice shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; and such written consent to any such removal shall be expressed in such terms, and shall be in such case given, attested and recorded in such manner as shall for that purpose be hereinafter prescribed.

Clause 2. If only one special justice is appointed, the consent of that one shall be sufficient. Form thereof.

And for the purpose of supplying the deficiency of the section last recited, Be it further enacted, that in case of there being but one justice so specially commissioned as aforesaid residing within the said Virgin Islands at any time when any such consent shall be required, the consent of that one shall be sufficient for the purpose of removal or transfer of any such prædial attached apprenticed labourer or labourers: provided always, that such consent shall be in writing, and shall bes igned by the special justices, or special justice, if only one special justice be residing in the said Virgin Islands, as required by this Act; and that such consent shall express to be given in their or his capacity of special justice, and that the form of the consent aforesaid be in words following:

"These are to certify, that upon the application of (the name of the employer desirous of removing his apprenticed labourers or labourer), according to the provisions of an Act, intituled, 'An Act (this Act),' we (or I, as the necessity of the case may be), have inquired into the circumstances of the case, and being satisfied that such removal may be made without infringing any of the regulations in the said Act in this respect contained, we (or I, as the necessity of the case may require), do hereby permit the said (employer aforesaid) to remove the several attached prædial apprentices named (here name them, specifying the relations, or reputed relations, they may bear to each other), from plantation or estate, in the district, to plantation or estate in the same or district. Given under our hands (or my hand, as the necessity of the case may be,) this day of 18 ."

Clause 3. Such consent to be recorded in a book for that purpose to be kept, and a true copy thereof given to employer, if required.

And be it further enacted, that any special justice giving and joining in such consent, shall insert in a book, which is hereby directed to be by him kept for the purpose, a true copy of the consent by himself so given or joined in as aforesaid, there to remain as a record of such transfer, and shall deliver such written consent to the employer or employers applying therefor.

Clause 4. Such consent not necessary for occasional work or business, but only in case of removal for permanent domicile.

And be it further enacted, that such consent as aforesaid shall not be necessary where such attached prædial apprenticed labourers or labourer may be employed in any occasional work or business, by desire of their employer, on any estate or plantation, or otherwise, which work or business shall not continue for more than five days in succession, and that the foregoing clauses shall apply only to removal for the permanent domicile of such labourers.

Clause 5. Services of such apprentices may be transferred by sale or otherwise, but such transfer not to separate husband and wife, parent and child, &c.

And be it enacted, in conformity to the 10th section of the said hereinbefore mentioned Act of Parliament, that the right or interest of any employer or employers to and in the services of any apprenticed labourers, shall pass and be transferable by bargain and sale, contract, deed, conveyance, will or descent, according to law; provided that no such apprenticed labourer shall by virtue of any such bargain and sale, contract, deed, conveyance, will or descent, be subject to or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

Clause 6. On the 1st August 1834 every child under six years, or any born after, to be brought before the special justice, and if it

And in accordance with the 13th section of the said Act of Parliament, Be it further enacted, that if any child who, on the said 1st day of August 1834, had not completed his or her sixth year, or if any child to whom any female apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of

appears to him that such child is unprovided with an adequate maintenance, may apprentice him to the person entitled to the services of the mother; exceptions thereto.

of the peace holding any such special commission as in the said Act of Parliament mentioned, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of 12 years, it shall be lawful for such justice, and he is hereby required, on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice, that such person or persons aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is hereby required, by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers, and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her 21st year, and no longer; and every child so apprenticed as aforesaid, by the order of any such justice of the peace as aforesaid, shall, during his or her apprenticeship, be subject to all such and the same rules and regulations respecting the work and labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other apprenticed labourers in the said Act before mentioned: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child.

Clause 7. Form of such indentures of apprenticeship to be the same used in England, conformably to this Act.

And for the settling the form of the indenture requisite and necessary for the purpose of apprenticeship, Be it further enacted, that the form of such indenture of apprenticeship shall be the same as forms of apprenticeship used in England, making the same conformable with the requisitions of this Act.

Clause 8. When such indenture is properly executed, copy to be delivered to the party.

And be it further enacted, that whensoever any such indenture of apprenticeship is executed by the necessary parties, that a counterpart shall likewise be executed, and delivered to the party to whom any such apprenticed labourer is apprenticed.

Clause 9. Such indenture to be recorded in a book to be kept for that purpose. Indenture to be preserved by the special justice for inspection.

And be it further enacted, that whensoever any of such indentures of apprenticeship shall be executed by the necessary parties thereto, the same shall be recorded in a book by such special justice executing the same, which is hereby directed to be kept for the purpose by such special justice, and the special justice shall preserve the said indenture of apprenticeship in his said office ready for inspection, or any other purpose for which it may be required.

Clause 10. All apprenticed labourers under this Act are exempted and excluded from all offices, civil or military, during such term; exceptions thereto.

And be it further enacted, in accordance with the 22d section of the said hereinbefore mentioned Act of Parliament, that all and every persons or person in the said Virgin Islands who, on or after the 1st day of August 1834, shall become apprenticed labourers or labourer by the terms and force and effect of this Act, or of the said Act of the said Imperial Parliament, shall, during the continuance of any term of apprenticeship as therein and thereby specified, be exempted and excluded, except in the cases hereafter mentioned, from the performance of any service, civil or military, in the same, and shall be and are and is hereby disqualified from holding or exercising, and shall be and are and is hereby declared incompetent, except in the cases hereinafter mentioned, to hold any situation, civil or military, in the said Virgin Islands, during the continuance of every term of such apprenticeship; and also shall be and are and is hereby exempted from all or any imprisonment for any debts or debt which they, or any of them, may contract or incur; anything contained, or which may be construed or considered as contained to the contrary in any Act or Acts, and particularly in an Act of the said Virgin Islands, intituled, "An Act to extend to His Majesty's free Coloured and free Black subjects of the said Virgin Islands, in the manner thereafter mentioned, all the rights, privileges and immunities which are now held and enjoyed by His Majesty's White subjects," in anywise notwithstanding: provided always, that nothing herein shall extend, or be construed to extend, to absolve, disqualify or declare incompetent any apprenticed labourers or labourer, during the term of any of their or his time of apprenticeship aforesaid, from the duty of serving, at the request of his or their employer or employers, in a civil or military capacity, if appointed thereto by the Governor, or person lawfully administering the government of the said Virgin Islands, by and with the advice and consent of the Privy Council of the same, in case of rebellion or other great public exigency, or to serve as special constable as directed by any other Act passed in pursuance of said Act of Parliament.

Clause 11. This Act to be in force on 1st August 1834.

And be it further enacted, that this Act shall be in force on the 1st day of August 1834, and not before, and shall thenceforward be deemed a general Act, and all persons to take notice and govern themselves accordingly.

Dated at Tortola, this 19th day July 1834, and in the fifth year of His Majesty's reign.

Passed the Assembly, this 8th day of April 1834.

Thomas William Crooke, Clerk of Assembly.

Passed the Council, this 23d day of April 1834.

By command, *Richard King*, Clerk of Council.

Thomas Marsh, Speaker.

(signed) *William Roger Isaacs*, President.

DOMINICA.

— No. 41. —

Dominica.

AN ACT for registering all Persons actually within this Island, on the 1st day of August in this present Year of our Lord 1834, and who shall have been duly registered as Slaves, in conformity with the Laws now in force; and also, for establishing a Classification thereof, for the purposes set forth in and by an Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the abolition of Slavery throughout the British Colonies, for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves."—

(Passed 19th May 1834.)

WHEREAS it is necessary that a registry should be made of all persons actually within this Island, on the 1st day of August in this present year of our Lord 1834, and who shall have been duly registered as slaves, in conformity with the laws now in force: And whereas it is also necessary that the slaves actually appearing by such registry to remain, should be divided into classes, as hereinafter directed: We, therefore, Your Majesty's most dutiful and loyal subjects, the Governor and Commander-in-chief of Your Majesty's Islands of Antigua, Montserrat, Barbuda, St. Christopher, Nevis, Anguilla, the Virgin Islands, and Dominica, and the Council and Assembly of this Your Majesty's Island of Dominica, humbly pray Your Most Excellent Majesty that it may be enacted and ordained,

1. And be it and it is hereby enacted, by the authority aforesaid, that all persons who on the 31st day of July, in the present year of our Lord 1834, shall be in possession of any slave or slaves in this Island, and who by the laws now in force are required to make triennial returns thereof, shall on the 1st day of August 1834, or within 30 days thereafter, make and give in to the registrar of slaves, returns thereof, in all respects in conformity with the laws now in force, establishing such triennial registry; and in addition thereto shall make an alphabetical list of all slaves, &c. &c. appearing by such returns to remain on the date aforesaid, divided into the following heads and classes; that is to say, "prædial attached," "prædial unattached," "non-prædial," and "under six years": provided always, and be it enacted, that under the head of "prædial attached," shall be included alone all persons who, on the said 31st day of July 1834, shall be of the full age of six years and upwards, and who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners; under the head of "prædial unattached," shall be included all such persons who in their state of slavery were actually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and under the head of "non-prædial" shall be included all such persons as are not included in either of the two last-mentioned classes: provided also, that for the purposes aforesaid, every slave engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island; and for the greater uniformity of such returns, and that no person may pretend ignorance of the proper form thereof, an example is contained in a schedule to this Act annexed, to which all persons are required to conform: provided always, that no person above the age of 12 years shall be included in either of the classes of "prædial attached," or "prædial unattached," unless such person shall for 12 months at least, previous to the 28th day of August 1833, have been habitually employed in prædial labour.

2. And, to the intent that all persons required to deliver in returns and lists as aforesaid may be duly apprised of the proper time of doing so, and of the manner and form thereof; be it enacted, that the registrar or his deputy shall, and he is hereby required, as soon as possible after the passing of this Act, to send printed copies of the same to the way-wardens of the respective parishes, for distribution amongst the inhabitants thereof; and shall cause advertisements to be inserted in the newspaper of this Island, notifying the proper time of delivering in the said returns; and shall also cause to be printed, at the public expense, a sufficient number of the forms of returns directed by the first clause of this Act, and shall transmit the same, with the printed copies of this Act, to the way-wardens as aforesaid, who are hereby required to distribute the said schedules or forms, to such persons as shall apply for the same: and if the said registrar or his deputy, or any of the way-wardens, shall neglect to perform any of the duties by this Act directed, such party so offending shall for every such neglect forfeit the sum of 200 *l.* current money: provided always, that the way-wardens shall be allowed to employ such constables, or other as many free persons as may be necessary in their respective parishes, for giving publicity to this Act, and notification of the time for making the returns; and the said constables or other free persons shall be entitled to demand and receive, on the production of a certificate from a majority of the respective way-wardens, the sum of 1 *s.* 6 *d.* for each person so summoned or notified.

3. And be it further enacted, that the registrar shall carefully preserve the original lists or returns given in to him, and cause the same, within six months after receiving them, to be copied clearly and distinctly (under the names of the parishes from which such returns are respectively made), in a book strongly bound and duly paged and indexed, to be by him

provided and kept in his office; and such book or books are hereby declared to be public property: and when and so soon as the said lists or returns shall have been duly entered and recorded as aforesaid, the said registrar or his deputy shall give notice forthwith, by advertisements in the public newspapers, that the same are completed, and the said book or books shall continue open in his office for the inspection of the public.

4. And be it, and it is hereby enacted, by the authority aforesaid, that the registrar or his deputy shall, at the expiration of the period aforesaid, authenticate the said registry in the same manner and form as by law he is now required to do in regard to the registry of slaves.

5. And be it enacted, that the persons making and giving in the returns and lists by this Act directed, shall, on the said 1st day of August 1834, or within 30 days thereafter, appear before the registrar of slaves, or his lawful deputy, and make an affidavit of the truth thereof, in the form set forth at foot of the schedule to this Act annexed.

6. That if the registrar of slaves shall see cause to doubt the accuracy of any such return, he shall summon the party making such return, and also the labourer, respecting whom such doubt shall have arisen, and also any witnesses on behalf of such labourer, and on behalf of the party who may have made such return, to appear before him at a time and place to be appointed by the registrar, who shall then and there proceed to inquire into the accuracy of such return, and for that purpose examine the person making such return, the labourer respecting whom such doubt shall have arisen, as well as any witnesses on behalf of either party; and the registrar may, if necessary, from time to time adjourn such examination, and after full examination the registrar shall either confirm or correct such return as he may see fit, and shall thereupon give notice to the person who may have made such return, and to the apprenticed labourer, of his decision: provided always, that if either the party making such return, or the labourer to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may, on his own behalf and the registrar, or any special magistrate may, on the behalf of such labourer, apply to the chief, or to any other judge of the Court of Common Pleas, by petition, setting forth the nature of such decision and the objections thereto; and the judge to whom any auch petition may be preferred shall proceed in any summary way to hear and to decide upon the same; and his decision shall be final and conclusive.

7. That any person neglecting or omitting to make the return or the affidavit hereinbefore mentioned, or to attend the registrar when summoned by him for the purpose aforesaid, shall incur a penalty of not more than 25 *l.*, nor less than 50 *s.* current money, to be recovered in the manner hereinafter provided; and in the event of the wilful absence of any person so summoned, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended.

8. That the judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition, in the manner which may be most conducive to method, punctuality and dispatch.

9. That when such proceedings as aforesaid shall have taken place, the registrar or his lawful deputy shall amend such return accordingly; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

10. That if the registrar or his deputy shall, in the exercise of his said office, refuse or neglect to do anything which he is herein required to do, such registrar or his lawful deputy shall, for every such offence, incur the penalty of 200 *l.* currency; and shall, moreover, be liable to civil suits or actions of such person or persons as may be aggrieved, or sustain any damage or injury by such refusal or neglect.

11. That the said registrar shall, after the authentication of the returns hereinbefore directed, receive out of any public monies in the treasury the sum of 300 *l.* current money, for the duties required of him by this Act; and any person or persons requiring a certified copy or copies, or an extract or extracts from the said registry, the registrar is hereby authorized to demand and receive for such copies or extracts at and after the same rate that the registrar of deeds is allowed by his docket for copies or extracts of deeds out of his office.

12. That all and every the fines, forfeitures and penalties imposed by this Act, shall be recovered by bill, plaint or information, in any court of record in this Island, and that one moiety of the said fines shall go to the informer, or person suing for the same, and the other moiety to be paid into the treasury of the Colony, for the public uses thereof.

13. That if any person or persons shall knowingly and wilfully make any false oath to any of the matters or things by this Act required, or shall corruptly procure or suborn any person or persons to make any false oath, such person or persons so making or procuring to be made such false oath as aforesaid, shall be declared guilty of wilful and corrupt perjury, or subornation of perjury, and shall, upon conviction thereof, suffer such punishment as is inflicted for such offences by the laws of England.

SCHEDULE and AFFIDAVIT referred to in and by the foregoing Act.

RETURN of all Slaves (belonging to *A. B.*, or attached to the Plantation called ———— the Property of *C. D.*, as the case may be,) in the Parish of ———— on the 31st day of July 1834; with an Alphabetical List and Classification thereof made by (himself, or by *E. F.* as Attorney, or otherwise, as the case may be).

No.	NAMES.	Sex.		COLOUR.	Reputed Age.	Country.		Ordinary Employment.	Causes of Increase or Decrease.	Observations.
		Male.	Female.			African.	Creole.			
4	Per last Return -	2	2	- - -	- -	2	2	—		
	Increase:									
1	Adam - - -	1	- -	Black -	28	- -	1	Labourer -	Purchased from *A. B.*	
2	Betsey - - -	- -	1	Mulatto -	25	- -	1	Domestic -	Gift of *C. D.*	
6		3	3			2	4			
	Decrease:									
1	Alexandre - -	1	- -	Black -	50	1	- -	Field labourer	Sold to *E. F.*	
2	Bob - - -	1	- -	ditto -	40	- -	1	ditto - -	Died.	
2		2	-			1	1			
4	Total remaining -	1	3			1	3			

	LIST.								CLASSIFICATION.			
									Prædial attached.	Prædial unattached.	Non-Prædial.	Under Six Years.
1	Adam - - -	1	- -	Black -	28	- -	1	Labourer -	1	—		
2	Betsey - - -	- -	1	Mulatto -	25	- -	1	Domestic -	- -	- -	1	—
3	Bacchus - - -	1	- -	Cabre -	45	1	- -	Field labourer	- -	1	—	
4	Cæsar - - -	1	- -	Black -	30	- -	1	Mason -	- -	1	—	

I, *A. B.*, do swear that the Return and List now by me given in, contains a true and exact accoun and description, according to the several particulars herein specified, of all the slaves who on the 31s day of July 1834, were attached to the plantation called ———— in the parish of ———— (or belonging to me, if an owner, or belonging to ————, for whom I am attorney, agent, trustee, or otherwise, as the case may be,) according to the best of my knowledge, information and belief.

Sworn before me, this } day of 1834. } So help me GOD.

— No. 42. —

Dominica.

AN ACT for the abolition of Slavery in this Island, in consideration of Compensation; and for promoting the Industry of the Manumitted Slaves.—(Passed 19th May 1834.) No. 42.

1. WHEREAS an Act has recently passed the Imperial Parliament, intituled, "An Act for the abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves; and for compensating the Persons hitherto entitled to the Services of such Slaves:" and whereas by that Act the sum of twenty millions pounds sterling is appropriated towards compensating the holders of slaves whose property is thereby affected: and whereas, in consideration thereof, it is expedient that a Bill should pass the Legislature of this Island to effect the abolition of slavery; be it therefore enacted, by the Governor and Commander-in-chief of His Majesty's Islands of Antigua, Montserrat, Barbuda, Saint Christopher, Nevis, Anguilla, the Virgin Islands and Dominica, and of the Council and Assembly of this His Majesty's Island of Dominica, and it is hereby enacted, by the authority of the same, that from and after the 1st day of August 1834, all persons who in conformity with the laws now in force in this Island, shall on or before the 1st day of August 1834, have been duly registered as slaves in this Island, and who on the

the said 1st day of August 1834, shall be actually within this Island, and who shall be such registries appear to be, on the said 1st day of August 1834, of the full age of six years, or upwards, shall by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided, that for the purposes aforesaid, every slave belonging to this Island, engaged in his ordinary occupation on the seas, shall be deemed and taken to be within this Island, to all intents and purposes whatsoever.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave if this Act had not been made.

3. Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been taken with the consent of their possessors, and all apprenticed labourers who may hereafter with like consent be taken into any part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be free, to all intents and purposes whatsoever.

4. And be it enacted, that all such apprenticed labourers shall, for the purpose of this Act, be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers, attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise, upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no person of the age of 12 years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall have been, since the 28th day of August 1832, habitually employed in agriculture, or in the manufacture of colonial produce.

5. And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840, and that during such his or her apprenticeship no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable, by virtue of such apprenticeship, to perform any labour in the service of his or her employer or employers, for more than 45 hours in the whole of any one week.

6. And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

7. And be it further enacted, that if before any such apprenticeship shall have expired, the person or persons entitled for and during the remainder of any such term to the services of such apprenticed labourer, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do by deed poll or instrument in writing, to be proved before a judge or justice of the peace, and recorded in the Secretary's-office of this Island: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease, or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourers as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

8. That, in order to prevent the improper discharge of labourers, incompetent from age or disease, to earn their own living, be it enacted, that if any deed or discharge shall be executed gratuitously, and without any valuable consideration passing to the owner or other person effecting the same, the labourer so to be discharged shall, previously to the actual execution of any such deed, appear before any special justice, and if it shall appear to the said special justice that such labourer is under the age of 14 years, or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a good and sufficient bond to His Majesty, in the penal sum of 200 *l.*, with a condition thereunder writtenfor the defeas ance thereof, such labourer shall be properly fed, clothed and maintained until the 1st day of August 1838, in the case of non-prædial labourers, or until the 1st day of August 1840, in case of prædial labourers; and no such gratuitous discharge shall be valid and effectual in the law, or shall be received to be recorded in the office of the secretary of the Island, until such bond aforesaid shall be duly executed, registered and deposited in the said office: provided nevertheless, that the Chief Justice, and in case of his absence any other judge of the Court of Common Pleas, shall be and is hereby declared authorized, by an order under his hand, to dispense with such bond as aforesaid, in any case in which it shall be made to appear to him that neither the welfare of the labourer to be discharged, nor the interest of the Colony at large, requires that such bond shall be so entered into.

9. Provided nevertheless, and be it further enacted, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator, the labourer so discharged shall be under the age of 14 years, or above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estate of such testator shall be liable to and chargeable with the maintenance of such labourer, until the 1st day of August 1838, in the case of a non-prædial labourer, and until the 1st day of August 1840, in the case of a prædial labourer, as fully as if the said testator had in his or her life-time executed such bond as aforesaid: provided always, and be it hereby enacted, that in the event of the discharge of a person as aforesaid, under the age of 14 years, the estate of the testator shall only be liable and bound until such apprenticed labourer attains that age, unless he or she shall at that time be labouring under any habitual disease or infirmity of mind or body as aforesaid.

10. And be it further enacted, that it shall be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship, even without the consent, or in opposition, if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the appraised value of such services.

11. And be it enacted, that when any apprentice under this Act shall be able and willing to purchase his or her discharge, and the party entitled to the services of such apprentice shall refuse or be unwilling to sell such discharge, such apprentice shall be at liberty to apply to the nearest magistrate, to be appointed by special commission, who shall thereupon give notice to the person entitled to the service of such apprentice, or his or her representative or agent, and such last-mentioned person shall thereupon appoint a justice of the peace of the parish or precinct in or nearest to which the apprentice shall reside, who shall and is hereby required to associate himself with such special justice of the peace, and the said two justices shall also associate with them one other justice of the peace, who is also hereby required to associate himself as aforesaid; and in case the said special justice and general justice of the peace cannot agree on the third justice so to be called in, then the Governor or Commander-in-chief of this Island shall name and appoint such third justice.

12. And be it further enacted, that the said three justices shall meet at the usual place of public business for the parish or precinct, or at such other place as the justices themselves shall appoint, and shall proceed to fix a value upon such apprentice, which valuation shall be binding and conclusive on all parties; and, upon the amount of such valuation being paid to the person entitled to receive the same, or to the public treasurer as hereafter mentioned, such apprentice shall be absolutely discharged from the remainder of the term of apprenticeship, and the three justices shall grant a certificate under their hands in the form following: "We do hereby certify and declare, that *A. B.*, the apprentice of *C. D.*, of the parish of (or otherwise, as the case may be,) hath this day been discharged and released from the remainder of the term of his or her apprenticeship. Given under our hands this day of ." Provided, that notice of the time and place of meeting shall be given to the person entitled to the services of such apprentice, or other person in charge, to be left at his or her usual place of residence at least 10 days before such meeting, and that the said justices shall and may issue their summons to any witness of whose materiality they shall be satisfied, either on the part of the apprentice or the person entitled to his or her services, and shall examine such witnesses on oath touching the value of the services of such apprentice; and in case any person so summoned to attend shall refuse or neglect to attend, the said three justices shall, and they are hereby empowered and required to issue their warrant, authorizing any lawful constable to apprehend and bring any such person so summoned before them, in order that he or she may be examined in the premises.

13. And be it enacted, that in case any person shall, by virtue of any title or interest either in remainder, reversion, expectancy or otherwise, or by virtue of any security, claim any right to the services of the said apprentice for the remainder of the term of his apprenticeship, expectant upon the death of the person then entitled to his or her services, or by virtue of such security, and shall by reason thereof claim a right to participate in the amount paid for the discharge of such apprentice, the said three justices shall direct such amount to be paid to the public treasurer, until the rights of the parties are ascertained and decided, as hereinafter mentioned; and such sum shall bear interest at 6 *l.* per centum per annum until again paid out, and shall in the meantime be used as the public funds of the Island.

14. And be it enacted, that any party claiming to be entitled to the sum so paid to the public treasurer shall be at liberty to apply, by summary petition or special motion, to any of the supreme courts of judicature of this Island, who shall, upon hearing the matter, adjudge and determine how and to whom such sum of money shall be paid and applied; and such judgment shall be binding and conclusive on all the parties, and the public treasurer shall thereupon pay such amount as the Court shall by their order direct.

15. And be it enacted, that in case the person entitled to the service of any apprentice so applying to be discharged, shall refuse or neglect to appoint a justice, such special justice shall associate with him a general justice of the peace, and such two justices shall thereupon proceed in manner hereinbefore directed, and with the same power as hereinbefore enacted respecting the said three justices.

16. And be it further enacted, that no apprenticed labourer shall be subject or liable to be removed from this Island; and that no prædial apprenticed labourer, who may in manner aforesaid become attached to the soil, shall be subject or liable to perform any labour in the

service of his or her employer or employers, except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he or she shall have been usually employed on or previously to the said 1st day of August 1834: provided nevertheless, that with the consent in writing of any two or more justices of the peace holding special commission, it shall be lawful for the person or persons entitled to the services of any such attached prædial apprenticed labourer or labourers, to transfer his or their services to any other estate or plantation within this Island to such person or persons belonging; which written consent in no case shall be given, or be of any validity, unless any such justices of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; and that such consent shall be in the form following: "These are to certify, that upon the application of *A. B.* for liberty to remove certain prædial attached labourers, according to the provisions of an Act, intituled, 'An Act for the abolition of Slavery in this Island, in consideration of Compensation, and for promoting the Industry of the Manumitted Slaves,' we have inquired into the circumstances of the case, and being satisfied that such removal may be made without infringing any of the regulations in the said Act in this respect contained, we do hereby permit the said *A. B.* to remove the several prædial apprentices named (here name them, setting them out in families where it can be done) from plantation, in the parish of to plantation, in the parish of (or otherwise, as the case may be). Given under our hands, this day of 18 ;" which said certificate shall be recorded in a book to be kept by the public secretary of the Island, and for which service the said public secretary shall receive the sum of 3*s.* and no more; and such record, or a copy thereof, certified by such secretary, shall be received and taken as evidence in all courts.

17. And be it further enacted, that the laws now in force as to the alienation by sale, and as to the inheritance and bequest of slaves, shall during the time of apprenticeship, so far as the same may be applicable to the interest of the persons entitled to the services of all apprenticed labourers, and which interest shall and may pass by sale, inheritance or will in such manner as slaves could or might pass by the laws in force in this Island: provided that no such apprenticed labourer shall be removed from his or her usual place of abode for the purpose of any judicial sale; and in case of attached prædial labourers, such sales shall not take place but together with the land.

18. And be it further enacted, that during the continuance of any such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of such apprenticed labourer shall be, and is and are hereby required to supply him or her with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by an Act, intituled "An Act for the further Encouragement, Protection and better Government of Slaves, and for the general Amelioration of their Condition," now in force in this Island, an owner is required to supply to and for any slave being of the same age and sex as any such apprenticed labourer shall be.

19. And be it further enacted, that, subject to the obligations imposed by this Act upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within this Island shall, upon and from and after the said 1st day of August 1834, become and be, to all intents and purposes, free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834 slavery shall be and is hereby utterly and for ever abolished and declared unlawful in His Majesty's Island of Dominica.

20. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in any such contingency; be it therefore enacted, that if any child on the said 1st day of August 1834 had not completed his or her sixth year, or if any child to which any female apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before any justice of the peace holding special commission, and if it shall be made to appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of twelve years, it shall be lawful for such justice, and he is hereby required, on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that such person or persons aforesaid is or are unable or unfit to enter into such indenture, and properly to perform the conditions thereof, then it shall be lawful for such justice, and he is thereby required by such indenture, to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and it shall by every such indenture of apprenticeship be declared whether such child shall thenceforward belong to the class of attached prædial apprenticed labourers,

labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his or her twenty-first year, and no longer; and every child so apprenticed as aforesaid by the order of any such justice of the peace as aforesaid, shall, during his or her apprenticeship, be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him or her furnished, as any other such apprenticed labourer as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child.

21. And be it further enacted, that the several justices of the peace having special commissions (and no other magistrate or justice of the peace in this Island) shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences committed or alleged to have been committed by any such apprenticed labourer, or by his or her employer, in such their relation to each other; or of the breach, violation or neglect of any of the obligations owed by them to each other; or of any question, matter or thing incident to, or arising out of, the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services: provided, that nothing herein contained shall extend, or be construed to extend, to abrogate or take away the powers by law vested in the supreme courts of record, or the superior courts of civil and criminal justice in this Island.

22. And be it further enacted, that it shall not be lawful for any person or persons entitled to the services of any such apprenticed labourer, or any other person or persons other than such justices of the peace, holding such special commissions as aforesaid, to punish any such apprenticed labourer for any offence by him or her committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatever, or by an addition to the hours of labour hereinbefore limited; nor shall any court, judge or justice of the peace punish any such apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained shall extend to exempt any apprenticed labourer from the operation of any law or police regulation for the prevention or punishment of any offence which is or shall hereafter be in force in this Island in respect to all other persons of free condition.

23. And whereas it is necessary that proper regulations should be provided for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer; and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter, for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers; and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers, injuring, or tending to the injury of the property of any such employer; and for the suppression and punishment of any riot or combined resistance of the laws, on the part of any such apprenticed labourers, and for preventing the escape from this Island of any such apprenticed labourers during their term of apprenticeship: Be it therefore enacted, that all such offences shall be tried in a summary manner before any justice appointed by special commission; and any apprenticed labourer convicted of absenting himself or herself from the service of his or her employer, without reasonable cause, he or she shall be compelled to serve, for every hour of such absence, two extra hours, provided that such extra hours shall not exceed 15 in the whole in any one week.

24. And be it further enacted, that any apprenticed labourer convicted as aforesaid of being absent without reasonable cause, for more than one day, shall in like manner forfeit not exceeding two days' labour of his or her own time: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard, on which he shall have adjudged that the said apprentice shall forfeit two days' labour of his or her own time, and he is hereby authorized and required so to divide the said two days' labour as shall not impose the obligation on such apprentice of working for more than 15 extra hours in any one week.

25. And be it further enacted, that any apprenticed labourer, convicted as aforesaid of being absent without reasonable cause for two succeeding days, or on two distinct days within the same fortnight, shall be adjudged a deserter, and sentenced to hard labour for a period not exceeding one week, or to any penal gang of the Island, or to receive a flogging not exceeding 15 stripes.

26. And be it further enacted, that any apprenticed labourer, convicted as aforesaid of being absent without reasonable cause for three or more successive days, or for three distinct days, during any one fortnight, shall be adjudged a vagabond, and sentenced to hard labour for a period not exceeding 14 days, or to any penal gang of the Island, or to receive a flogging not exceeding 30 stripes.

27. And be it further enacted, that any apprenticed labourer convicted, as aforesaid of being absent without roasonable cause for one entire week, or any longer time, shall, in addition

addition to such punishment by hard labour as aforesaid, be further sentenced to receive, as any justice appointed by special commission shall direct, any number of stripes not exceeding 30.

28. And be it further enacted, that any apprenticed labourer who shall be found wandering as a vagrant beyond the limits of the plantation of his or her employer, without a written permission from such employer, and who shall not be able to give a satisfactory account of himself or herself, shall be liable to be apprehended, and upon conviction before any special justice aforesaid, shall be adjudged a vagabond, and sentenced accordingly: provided, that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of divine worship, or to or from market, or at such market or place: provided, that nothing herein contained shall be deemed or construed to abridge or in anywise interfere with the full and free use and enjoyment by such apprentices of the time allotted to them as their own, under and by virtue or the provisions of this Act.

29. And be it further enacted, that any apprenticed labourer who shall refuse or neglect to perform any labour required under this Act, or who shall, by wilful negligence, damage the property of his or her employer, or who shall be guilty of drunkenness, or of fighting, shall, upon conviction thereof as aforesaid, forfeit to such employer any number of days' labour not exceeding four, out of his or her own time, or be sentenced to receive any number of stripes not exceeding 20, and for the second offence within one month, shall be sentenced to double that amount of punishment: provided always, that it shall be lawful for the special justice before whom such complaint shall have been heard, on which he shall have adjudged that the said apprentice shall forfeit three days' labour of his or her own time, and he is hereby authorized and required so to divide the said three days' labour as shall not impose the obligation on such apprentice of working for more than 15 hours in any one week.

30. And be it further enacted, that any apprenticed labourer who shall be convicted, as aforesaid, of insolence or insubordination to his or her employer, shall be sentenced to hard labour, or to any penal gang of the Island, for any time not exceeding two weeks, or to receive any number of stripes not exceeding 39.

31. And be it further enacted, that any apprenticed labourer who shall, by the careless use of fire, endanger the property of his or her employer, or of any other person, or who shall ill-use any cattle, or other stock, or who shall wantonly destroy or injure the property of his or her employer, entrusted to his or her charge, shall, upon conviction thereof, as aforesaid, be sentenced either to extra labour in his employer's service for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two or more such punishments.

32. And be it further enacted, that in case of any riot or combined resistance to the laws on the part of any three or more apprenticed labourers, the police of the parish, or of any neighbouring parish, shall, on receiving information thereof, immediately repair to the spot, and act as shall be directed by any special justice, for the repression of any such riot or lawless proceedings; and all apprenticed labourers engaged in any such riot shall, on conviction thereof as aforesaid, be sentenced to hard labour as aforesaid, for any term not exceeding three months, or to receive any number of stripes not exceeding 39.

33. And be it further enacted, that any special justice resorting to or present at any such riotous assemblage, shall cause a flag, or some other appropriate signal, to be approved of by the Governor, to be exhibited as a warning to all persons there present to separate and quietly disperse; and all apprenticed labourers who after the exhibition of such flag or signal, shall not immediately disperse, shall, on conviction thereof before any two or more special justices, be sentenced to hard labour as aforesaid for any term not exceeding three months, and to receive any number of stripes not exceeding 39: provided, that in the event of the unavoidable absence of such special justice, nothing herein contained shall be taken to prevent any justice of the peace from quelling any riot or disturbance among such apprentices in the same way and by the same means as by law he is now authorized to use in quelling any riot, or preventing any breach of the peace among or by any of His Majesty's free subjects in this Island: And be it enacted, that it shall not be lawful for any apprenticed labourer to keep, use, or have in his or her possession any gunpowder, gun, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapons, unless with the knowledge and consent of his or her master, employer, or manager.

34. And be it enacted, that every apprentice so offending shall, on conviction before any special justice, be punished with whipping, imprisonment, hard labour in the penal gang, or any two or more of these punishments, as may be awarded by such special justice: provided, that such whipping shall not exceed 39 lashes, and such imprisonment shall not exceed one month.

35. And be it further enacted, that it shall be lawful for any such master, manager, or lawful employer, to seize and retain any gunpowder, guns, swords, pistols, or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer, to be disposed of as any special magistrate may direct.

36. And be it further enacted, that any apprenticed labourer quitting or attempting to quit the Island without the permission in writing of his or her employer, shall, on conviction thereof before any special justice, be sentenced to hard labour, or to the penal gang of the Island,

Island, for a term not exceeding three months, or to receive any number of stripes not exceeding 39.

37. And be it further enacted, that in cases wherein any apprenticed labourer shall have been convicted of having absented himself or herself from the service of his or her employer, without reasonable cause, for more than one day at a time, during 14 days, such time so lost to such employer shall be made up to him or her by such apprenticed labourer out of his or her own time, not exceeding 15 hours in each week: provided, that such extra service or compensation shall not be compellable after the expiration of seven years.

38. And be it further enacted, that if any apprenticed labourer shall, by wilful neglect or indolence during his or her own time, suffer his or her house or provision ground to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction in writing of any special justice, to be obtained upon proof before him of such neglect or indolence, to put the house or provision ground of such apprenticed labourer into proper order for his or her comfort and support, and to deduct an equivalent quantity of labour from his or her own time, not exceeding 15 hours in any week.

39. And be it further enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation, under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; such apprentice, confined as aforesaid, not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of the special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid to order the release of such apprentice so confined as aforesaid, after the expiration of 24 hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall, and he is hereby required to prefer the complaint on which such apprentice was confined before the special justice when he shall next come upon the estate: and provided, that nothing shall be construed to give any such constable any power or authority over any of His Majesty's subjects except such apprenticed labourers.

40. And be it further enacted, that if any apprenticed labourer or labourers shall resort to a special justice to complain against his, her or their employer, and that such complaint shall be adjudged frivolous or groundless, it shall be lawful for such special justice to punish such complaining parties by adjudging them to repay double the extent of time which may have been lost to his or her employer, not exceeding 15 hours in any one week, or such other punishment by stripes not exceeding 20.

41. And be it enacted, that for all offences where punishment by flogging is authorized to be awarded by this Act, it shall be lawful for the special justices, in case such offences shall be committed by females, to sentence such females to solitary confinement, or confinement in the stocks, for any period not exceeding six days, such stocks to be according to one general model, to be sanctioned by the Governor.

42. And be it enacted, that it shall be lawful for any special justice to substitute solitary confinement, or confinement in the stocks, in any case where punishment by flogging or hard labour is hereinbefore directed, provided such solitary confinement or confinement in the stocks shall not exceed, for any offence, and at any one time, six days.

43. Be it further enacted, that in all cases of solitary confinement or confinement in the stocks, the person so confined shall be fed on such diet as the special justice shall direct, and no other.

44. And be it enacted, that all other inferior misdemeanors, and other crimes committed by apprenticed labourers against each other, or against the person entitled to his or her service, or against any other person, and not hereinbefore specified, shall be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person complained against; and such justice, upon conviction of such apprentice, shall order and direct such punishment to be inflicted as he may think proper, not exceeding 39 lashes, nor three months' imprisonment, with hard labour, or 20 days' solitary confinement, or confinement in the stocks for any period not exceeding six days: provided, that nothing in this clause contained shall be taken to authorize such magistrate to sentence any female apprentice to be flogged or beaten: and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of his or her right to proceed against any such apprentice in any of the courts of civil or criminal justice of this Island, for remedy against any apprentice for any wrong or injury done to or committed against the person or property of such subject: and provided also, that when any apprenticed labourer shall be convicted of indolence or neglect, or improper performance of work, the special justice before whom such conviction shall take place, may, if he see fit, sentence the offender, either alone or in addition to the punishment by flogging or hard labour hereinbefore directed, to labour for any such number of hours or days in his or her own time, for the benefit of the person entitled to his or her services, as the justice of the case may seem to require, not exceeding 15 hours in any one week.

 45. And

45. And be it further enacted, that in cases in which the food of any such prædial apprenticed labourer is supplied not by the delivery to him or her of provision, but by the cultivation by such prædial apprenticed labourer of grounds set apart for the growth of provisions, the persons entitled to their services shall, and are hereby required, during the term of such apprenticeship, and no longer, to provide such prædial apprenticed labourer with ground adequate, both in quality and quantity, for his or her support, and within a reasonable distance from his or her usual place of abode, under a penalty not exceeding 10 *l.* for each offence.

46. And whereas it is necessary that proper regulations should be made and established as to the extent of such provision grounds hereinbefore mentioned, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourer; be it enacted, that, for the purposes of this Act, all grounds hitherto allotted to every slave during such his or her state of slavery, for his or her maintenance and support, shall, during the term of his or her apprenticeship, in quantity, quality and locality be deemed adequate and proper for the maintenance and support of every prædial apprenticed labourer, unless good and sufficient cause be shown to the contrary: provided, and be it enacted, that such prædial or non-prædial apprenticed labourer shall satisfy, in case of complaint, such special justice that he or she has kept his or her ground in a due and proper state of cultivation.

47. And whereas by the Act of the Imperial Parliament it is provided, that such prædial apprenticed labourer shall be allowed out of the time, at the rate of 45 hours per week, which the master or employer is entitled to from such labourer, such a portion of time as shall be adequate for the proper cultivation of his or her provision ground, and for the raising and securing the crops thereon grown; be it enacted, that from and after the 1st day of August next every prædial apprenticed labourer shall be entitled to four hours and one half of an hour out of the 45 weekly working hours hereinbefore mentioned, for the cultivation of his or her grounds; and such portion of time shall be allowed to each apprentice, either on any day or days in any one week, or by any number of days consecutively, at such period of the year as may be deemed by the employer or manager of such property least detrimental and injurious to the cultivation of the plantation on which he or she shall reside, and the gathering in of the crops and the manufacture of the produce thereof; and any person entitled to the service of any such prædial apprenticed labourer, who shall refuse or neglect to allow such portion of time to any such labourer, shall be subject and liable to a penalty of 40 *s.* for each offence, to be recovered as hereinbefore provided: provided always, that such number of days so allowed to the apprenticed labourer, shall not exceed three consecutive days at one time: provided, and it shall and may be lawful for the employer and the apprentice to enter into an agreement in writing, of which a copy shall be given to the apprentice, to pay to the said apprentice such sum as may be agreed on between them, in lieu of time: and provided also, that in the event of non-payment of the sum agreed on at such times as shall be stipulated in the said agreement, it shall and may be lawful for the special justice, on the application of the apprentice, of which the employer shall have due notice, to issue a warrant against the goods of such employer for the amount of the money due at the time of such application, which warrant any constable is hereby required to execute, and make sale of the goods so taken under the warrant, unless the amount for which the same is issued shall be paid within three days, and the money to be received or levied under such warrant shall, immediately after the receipt thereof by such constable, be paid over to the said apprentice.

48. And whereas in certain parts of this Island there may not be lands proper for the cultivation of provisions, or by reason of long continuance of dry weather or other casualty, the grounds hitherto appropriated for negro grounds may be rendered unproductive; be it enacted, that in such case the master, owner or other person entitled to the service of such apprenticed labourer shall, by some other ways and means, make good and ample provision for all such apprenticed labourers to whose services they shall be entitled, in order that they may be properly supported and maintained, under a penalty not exceeding 40 *s.* for each offence: provided always, that in such case no diminution of the 45 hours, as hereinbefore-mentioned, shall take place.

49. And be it further enacted, that all complaints made by an apprenticed labourer against the person entitled to his or her services, touching any fraud practised, or refusal or neglect to furnish any such apprenticed labourer with sufficiency of provision ground, or of other means of maintenance and support, in cases where such apprentice has no provision ground, or of illegally and improperly withholding from such apprentice any portion of the time allowed him or her to cultivate such ground, or of imposing task-work on any apprenticed labourer contrary to the provisions of this Act, or of breach of any contract on the part of any person engaging the voluntary services of an apprenticed labourer, or of any cruelty, injustice, or other wrong or injury done to or inflicted upon any apprenticed labourer by the person entitled to his or her services, shall be heard, adjudged and determined before any one or more special justice or justices, and he or they is or are hereby empowered to punish any offender in any of these respects last mentioned with a fine not exceeding 10 *l.*; and for default of goods and chattels whereon to levy such fine, the offender shall be committed to gaol until he or she shall pay or satisfy the same, but such imprisonment shall not exceed five days: provided, that nothing herein mentioned shall be deemed or taken to bar or destroy the right of an apprenticed labourer to proceed in the supreme courts of civil or criminal justice for any wrong or injury done to or committed against his or her property or person, by any person whomsoever.

50. And

50. And be it further enacted, by the authority aforesaid, that in cases where it shall be necessary for the cultivation of any plantation, sugar work or other settlement, or for gathering in or manufacturing the crops and produce thereof, to impose task-work on the prædial apprenticed labourers thereof, or working thereupon, it shall be lawful for any special justice to sanction such task-work; provided such apprenticed labourers, or a majority of the adults among them, shall be willing and desirous collectively to undertake the same.

51. And be it enacted, that it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for work to be done, either by the day or by the task, for such wages or consideration as they may agree upon: provided always, that such contracts or engagements shall be sanctioned by a special justice, and that no such agreement shall be for a longer period than one year, and that no task-work shall be imposed upon any body of apprenticed labourers except by consent of a majority thereof.

52. And be it further enacted, by the authority aforesaid, that all indentures of apprenticeship of children required by this Act shall be as nearly as the nature of the case will admit, in conformity with, and upon the same terms and conditions as indentures of apprenticeship of children, made by the parochial or municipal authorities in any parish or town in England, and shall be approved of by such special justice, and recorded in the Secretary's-office of this Island.

53. And be it enacted, that if any apprenticed labourer, being in good health and able to work, and being the father of a child under the age of 12 years, shall not make adequate provision for the subsistence of such child, and which child the special justice has been unable to apprentice as directed by the last clause of this Act, then and in such case it shall be lawful for any special magistrate to adjudge any such labourer to hard labour during such time as the said labourer is not compelled to work in the service of his or her employer, and to apply the earnings of such labourer towards the support and maintenance of any such child; and for that purpose such special justice may hire out the labour of any such father to any person who may be willing to agree for the same, or to labour on any public works, on the best terms which can be procured; but such compulsory labour as aforesaid shall not be continued longer than may be necessary to provide for the maintenance of the child of such labourer for one month in advance.

54. And be it also enacted, that in case any such child so unprovided for as aforesaid shall have no father living, then the regulations aforesaid shall apply to the mother of such child, if competent by her labour to provide for the maintenance of such child.

55. And be it further enacted, that all the penalties before denounced in cases of indolence, neglect of work or otherwise, in respect of labour to be performed by the apprenticed labourers in the service of their employers, shall apply to the case of labour to be ordered to be undertaken for the maintenance of any such child as aforesaid.

56. And be it further enacted, that if any labourer shall, without lawful authority enter into possession of any land belonging to His Majesty, or to any person, any special justice, applied to for that purpose, shall dispossess such labourer from such land, and from any buildings thereon erected, and cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not within one month after such seizure appear and prefer his claim to such land, then the special justice shall order the crops, cattle, and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony.

57. And be it further enacted, that the summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

58. And be it further enacted, that the special justice may further adjudge any apprenticed labourer unlawfully taking possession of such land, to imprisonment with hard labour, for any time not exceeding three months, if it should be made to appear to his satisfaction that such possession was taken fraudulently, and with the knowledge of the labourer that he had no lawful claim to such possession.

59. And whereas it is necessary that provision should be made for ensuring promptitude and dispatch, and for preventing all unnecessary expense, in discharge, by the justices holding special commissions, of the jurisdiction and authorities by this Act committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of this Island into districts, for the purposes of such jurisdiction, and for the frequent and punctual visitation, by such special justices, of the apprenticed labourers within their districts; and it is also necessary that regulations should be made for indemnifying and protecting such special justices of the peace in the upright execution and discharge of their duties; be it therefore enacted, by the authority aforesaid, that the Governor, or person exercising the functions of Governor of this Island, shall and he is hereby authorized, required and empowered to make division of the Island into districts for the purposes of this Act, which division shall be made and set out by metes and bounds, to be laid down and expressed by the Governor; and which division and districts shall be made known and be publicly signified by proclamation to be issued for that purpose.

60. And be it further enacted, by the authority aforesaid, that the special justices to be appointed for such districts, or some other special justice, shall visit such plantation, sugar work, or settlement within such district, upon or to which there shall be attached or upon which there shall be working any number of prædial apprenticed labourers exceeding 20, one

one day at least in every 14 days, and oftener if required, for the purpose of hearing and determining the several matters and things by this Act declared to be within their authority and jurisdiction; and such special justices shall for that purpose have full and free ingress and egress into and out of all such plantations, sugar-works, or other settlements, without hindrance or molestation, at any time between sunrise and sunset; and shall also have power, for the purpose of investigating any complaint, to cause to be brought before him any of the apprenticed labourers belonging to or upon the said plantation, sugar-work, or other settlement; and shall have such powers to summon and enforce the attendance of witnesses, in cases of compulsory discharge from apprenticeship; and such special justice may, if he pass sentence of confinement upon such apprentice, and if he shall see fit, direct that confinement shall take place upon the plantation or settlement to which such apprentice shall belong, or be then working upon.

61. And be it further enacted, by the authority aforesaid, that the person entitled to the services of any apprenticed labourer working upon or attached to or living at any plantation or settlement upon which there shall be less than 20 apprentices, shall be at liberty to carry an offending apprentice before any special justice, at the plantation or settlement at which such special justice shall sit by virtue of this Act, nearest to the place where the offences shall have been committed, or to any place within the district where such special justice shall sit; provided such place shall be nearer than any plantation or settlement at which such special justice shall so sit; and any apprenticed labourer attached to or working upon or living at any plantation or settlement upon which there are less than 20 apprentices, may in like manner prefer his or her complaint, for any offences committed against him or her, before the special justice at the plantation or settlement at which such special justice shall sit, nearest to the place where such offence shall have been committed, or to any place within the district where such special justice shall sit; provided, as aforesaid, that such place shall be nearer than any plantation or settlement at which such special justice shall so sit; provided, that when and as soon as police stations shall be appointed, under and by virtue of any Act of the Governor, Council and Assembly of this Island, in any such districts, all such offences committed by and against apprentices upon plantations or settlements having less than 20 apprentices, may be heard and determined before such special justice at such station-house.

62. And be it further enacted, that any such apprenticed labourer, who shall during his or her apprenticeship wilfully absent himself or herself from the service of his or her employer, for a period exceeding three months at any one time, may be sentenced by any special justice, either to serve his or her employer, after the expiration of his or her apprenticeship, for so long a time as he or she shall have so absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid, or otherwise); provided, that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

63. And be it further enacted, that no apprenticed labourer shall be compelled or compellable to labour on Sundays, except in works of necessity, or in tending of cattle; nor shall any apprenticed labourer, except as aforesaid, be liable to be hindered or prevented from attending anywhere on Sundays for religious worship, at his or her free will or pleasure, but shall be at full liberty so to do, without any let, denial or interruption whatsoever.

64. And be it further enacted, by the authority aforesaid, that from and after the 1st day of August 1834, no person whosoever shall, on Sunday, expose for sale in any market or other place, or in any shop or other place, any goods, wares or merchandize, or provisions, under a penalty not exceeding 5 *l.* for every offence; provided, that in case the goods or provisions so exposed for sale shall not exceed in value the sum of 5 *l.*, the same may, in lieu of such penalty, be forfeited by order of any justice of the peace for the benefit of the poor of the parish in which such offence is committed; and provided also, that nothing herein shall extend to prevent the keeping open of any druggist shop, tavern, lodging-house, or the sale of fresh meat, fresh fish or milk, on Sunday; such sale, however, not to take place in any town or village during the celebration of Divine Service therein; and that from and after the 1st day of August 1834, Saturday in each week shall be the day given to every prædial labourer; provided, that prædial labourers employed in works of necessity, tending cattle, domestic services and protecting property, shall have some other day in lieu of Saturday.

65. And be it enacted, that in all cases of urgent necessity it shall be lawful for the owner, or other persons in management of such property where such necessity shall occur, to require and compel the immediate and continued service of any or all the apprenticed labourers during such emergency.

66. And be it enacted, that no such apprenticed labourer shall, during the continuance of such their apprenticeship, be liable to be arrested or imprisoned for debt, or be liable to be called on or be competent to serve in the militia of this Island, or to serve as a juror.

67. And be it enacted, that all such apprenticed labourers shall, during the term of such their apprenticeship, be and they are hereby disqualified from being elected members of Assembly, or churchwardens, or of voting at any election for any of the offices aforesaid, or being appointed justices of the peace.

68. And

68. And be it further enacted, that if any slave or slaves shall be guilty of any offence not triable under an Act intituled, "An Act for the further Encouragement, Protection and better Government of Slaves, and for the general Amelioration of their Condition," and not brought to trial before the 1st day of August 1834, it shall and may be lawful to bring such slave or slaves to trial under and by virtue of the powers and provisions of this Act, and to award such punishment as the law provides.

69. And be it enacted, that if any suit or action shall be commenced against any special justice, in respect of any act, matter or thing by him done by virtue and in pursuance thereof, and the Court shall give judgment for the defendant, the plaintiff shall by that judgment be condemned to pay treble costs of suit.

70. And be it further enacted, that if in any suit or action such justice shall at any time before final judgment tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same be brought, and submit to pay the costs of suit up to that time incurred; and if the plaintiff shall refuse to accept such amends and costs of suit; then, upon proof made to the Court, at the trial of such suit, that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject, nevertheless, to the reduction therefrom of the costs of suit of the defendant.

71. And be it enacted, that no suit or action shall be brought against any such justice in respect of any matter or thing by him done under or in pursuance thereof, unless the same shall be commenced within six months after the cause of action occurred.

72. And be it enacted, that all fines and penalties imposed by this Act, shall be recovered before any special justice of the peace by warrant of distress, and sale of offender's goods and chattels, to be applied for the use of the public of this Island.

73. And be it also enacted, that every such special justice shall keep a journal of all cases brought before him, such journal to be kept in one uniform manner, to be prescribed for that purpose by the Governor, a duplicate of which journal shall be transmitted by him to the Governor at the end of every quarter.

74. And be it further enacted, that the said special justice shall issue all necessary summonses, warrants and commitments, and draw up all convictions and other necessary and sufficient documents for the purposes hereinbefore mentioned; and he is hereby vested with all and every necessary authority to enable him to carry into effect the several duties hereby imposed upon him, according to the true intent and meaning of the various provisions of this Act.

75. And be it further enacted, that if any person or persons shall knowingly and wilfully make any false oath to any of the matters or things by this Act required, or shall corruptly procure or suborn any person or persons to make any false oath, such person or persons so making or procuring to be made such false oath as aforesaid, shall be declared guilty of wilful and corrupt perjury, and shall, upon conviction thereof, suffer such punishment as is inflicted for such offence by the laws of England.

76. And be it enacted, that a certain statute, made in the 52d year of his late Majesty King George the Third, intituled "An Act to repeal certain Acts, and amend other Acts relating to Religious Worship and Assemblies, and Persons teaching or preaching therein," shall be, and is hereby declared to be in force in this Island: provided nevertheless, that any two or more justices of the peace holding special commission under the 3d & 4th Will. 4, c. 73, shall have, exercise and enjoy all and every the jurisdiction, powers and authorities whatsoever which, by force and virtue of the said Act, are within the realm of England had and exercised and enjoyed by the several justices of the peace, and by the court of sessions therein mentioned.

77. And be it further enacted, that within the meaning and for the purposes of this Act, every person who shall have the lawful direction or charge of any apprenticed labourer, shall be deemed and taken to be the employer of such apprenticed labourer.

78. And be it further enacted, that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Island, shall be taken to be the Governor thereof.

79. And be it enacted, that this Act may be altered or varied, amended or explained, by any other Act or Acts to be passed this Session.

ST. VINCENT.

Appendix (B.)

Colonial Laws. No. 43.

ST. VINCENT.

— No. 43. —

St. Vincent.—(No. 308.)

AN ACT for the Abolition of Slavery in the Island of Saint Vincent and its Dependencies, in consideration of Compensation, and for promoting the Industry and good conduct of the Manumitted Slaves.—(Passed 2d April 1834.)

Preamble:

WHEREAS an Act has recently passed the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the Manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves:"

And whereas in consequence of such Act, it is necessary not only that provision should be made for promoting the industry and securing the good conduct of the persons so to be manumitted, but also that the laws now in force in these Islands should forthwith be adapted to the new state and relations of society which will follow upon such general manumission as aforesaid of the said slaves:

And whereas it has been provided in the said recited Act, that the sum of twenty millions pounds sterling should be given to the persons entitled to the services of such slaves, towards compensation for the loss which they will incur by their being deprived of their right to such services:

And whereas in consideration of such compensation, it is necessary that a Bill should pass the Legislature of these Islands to effect those purposes:

We, Your Majesty's most dutiful and loyal subjects, the Lieutenant Governor, Council and Assembly of the Island of St. Vincent and its Dependencies, humbly pray Your most Excellent Majesty that it may be enacted, and be it and it is hereby enacted by the authority of the same, That from and after the 1st day of August 1834, all persons who in conformity with the laws now in force in these Islands shall, on or before the 1st day of August 1834, have been duly registered as slaves, and who on the said 1st day of August 1834, shall be actually within these Islands, and who shall by such registry appear to be on the said 1st day of August 1834 of the full age of six years or upwards shall, by force and virtue of this Act, and without the previous execution of any indenture of apprenticeship, or other deed or instrument for that purpose, become and be apprenticed labourers; provided that for the purposes aforesaid, every slave belonging to these Islands engaged in his ordinary occupation on the seas, shall be deemed and taken to be within these Islands, to all intents and purposes whatsoever.

All persons of the age of six years or upwards, and duly registered on the 1st of August 1834 as Slaves, to become Apprentices.

The person who held the Apprentice as a Slave entitled to his services.

2. And be it further enacted, that during the continuance of the apprenticeship of any such apprenticed labourer, such person shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his services as a slave if this Act had not been made.

Slaves taken to the United Kingdom, free.

3. Provided also, and be it further enacted, that all slaves within these Islands, who may at any time previous to the passing of this Act have been taken with the consent of their possessors, and all apprenticed labourers who may hereafter, with the like consent, be taken into any part of the United Kingdom of Great Britain and Ireland, shall from and after the passing of this Act be absolutely and entirely free, to all intents and purposes whatsoever.

Apprenticed Labourers divided into three classes.

4. And be it enacted, that all such apprenticed labourers shall, for the purpose of this Act, be divided into three distinct classes; the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons, who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who in their state of slavery were usually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands not belonging to their owners; and the third of such classes, consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: provided always, that no persons of the age of twelve years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for 12 calendar months at the least next before the passing of the Act of the Imperial Parliament for the Abolition of Slavery, have been habitually employed in agriculture, or in the manufacture of colonial produce, or employed in prædial labour.

Apprenticeships of prædials to cease on the 1st August 1840, and no prædial to labour more than 45 hours in the week for his employer.

5. And be it further enacted, that no person who by virtue of this Act shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840; and that during such apprenticeship, no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable, by virtue of such apprenticeship, to perform any labour in the service of his employer for more than 45 hours in the whole in any one week.

6. And

Apprenticeships of non-prædials to cease on the 1st August 1838.

6. And be it further enacted, that no person who by virtue of this Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

Apprentices may be discharged from their apprenticeships.

7. And be it further enacted, that if before any such apprenticeship shall have expired, the person entitled for and during the remainder of any such term to the services of such apprenticed labourer, shall be desirous to discharge him from such apprenticeship, it shall be lawful for such person so to do by deed poll or instrument in writing, to be by him for that purpose made and executed, and which shall be acknowledged before the register of deeds, and recorded in his office: provided nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease or mental or bodily infirmity as may render him incapable of earning his subsistence, then and in every such case the person so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

If 50 years of age or upwards at the time of discharge, employers to provide for their support.

Proceedings where apprentices are desirous of purchasing the term of their apprenticeships and obstacles are in the way.

8. And to provide for the release of the services of labourers desiring to obtain the same by purchase, in cases where the employers of such labourers may be unwilling or unable to contract for such release, it is hereby further enacted, that if the employer of any apprenticed labourer in any of these Islands, or any person having an interest in any such labourer, shall be unwilling to effect his release, or if the employer or any other person having a charge upon, or interest in, any such labourer, shall be a minor or a married woman, or idiot or lunatic, or if the person entitled to the services of any such labourer shall be absent from these Islands, or if the employer of any such labourer shall demand as the price of his release a greater sum of money than may appear to the special justice to be the fair and just value thereof, then and in each and every of the cases aforesaid, the chief justice of the Island, or in case of his death, absence or disability, the next judge in commission, on application to him for that purpose made by the special justice, shall issue a summons under his hand and seal, requiring the employer of such labourer to appear before him by himself or his agents at some convenient time and place, to be in such summons for that purpose appointed, and notice shall be published by the said special justice in the public Gazette of this Island, of the time and place appointed for the purpose aforesaid, and in such notice all persons having or claiming to have any title or interest to or in the services of the labourer proposed to be released, either in their own right, or as the agents, guardians, trustees or representatives of any other person, shall be required to attend and prefer such claim.

Proceedings to be had before the Chief Justice and appraisers appointed.

9. And be it further enacted, that at the time appointed for any such meeting as aforesaid, the chief justice or other judge as aforesaid of the Island, in the presence of the special justice of the district in which such labourer is resident, and also in the presence of the employer of the labourer proposed to be released, or his agent, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer or his agent, shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer or his agent, or other person claiming any interest in the services of the said labourer proposed to be released and attending in pursuance of any such notice; and the said chief justice or other judge as aforesaid shall require the special justice, and the employer of such labourer or his agent, if attending in pursuance of such notice, each to nominate an appraiser of the value of his services, and the said chief justice or other judge as aforesaid shall himself nominate an umpire between such appraisers; but if such employer or his agent, being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said chief justice or other judge as aforesaid shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer or his agent.

Appraisers to make a return of their valuation in seven days.

10. And be it further enacted, that the appraisers so to be nominated as aforesaid shall be duly sworn by and before the said chief justice or other judge as aforesaid, to make a fair and impartial appraisement of the services of the labourer so proposed to be released, and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services of the said labourer, and shall certify such their valuation to the said chief justice or other judge as aforesaid, under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said chief justice or other judge as aforesaid within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said chief justice or other judge as aforesaid; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and inrolled among the records in the Register's Office of the said Island; and the said labourers whose services are so appraised, shall immediately pay down the whole of their appraised value in gold and silver money unto the person entitled to receive the same; and if the money be not immediately paid, all the proceedings shall be and are hereby declared to be null and void, to all intents and purposes whatsoever, and the inrolment aforesaid shall not take place.

Upon failure umpire to make such valuation.

Labourers to pay down their appraised value.

Apprentices not liable to be removed without consent of special justice.

11. And be it further enacted, that no apprenticed labourers belonging to these Islands, shall be subject or liable to be removed therefrom, and that no prædial apprenticed labourer who may in manner aforesaid, become attached to the soil, shall be subject or liable to perform

perform any labour in the service of his employer except upon or in or about the works and business of the plantations or estates to which such prædial apprenticed labourer shall have been attached, or on which he shall have been usually employed on or previously to the 1st day of August 1834: provided nevertheless, that with the consent in writing of any one of the justices of the peace holding such special commissions as hereinafter mentioned, it shall be lawful for the person entitled to the services of any such attached prædial apprenticed labourer, to transfer his services to any other estate or plantation within these Islands to such person belonging; which written consent shall in no case be given, or be of any validity, unless any such justice of the peace shall first have ascertained that such transfer would not have the effect of separating any such attached prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, except with the consent of the party to be removed, and that such transfer would not probably be injurious to the health or welfare of such attached prædial apprenticed labourer; and such consent shall be recorded in a book to be kept by the special justice of the district to which such labourers shall be removed, and which consent shall be in form following:—"These are to certify that upon the application of A. B. for liberty to remove certain prædial attached labourers [naming them] according to the provisions of this Act, I have assented thereto. C. D., Special Justice."

Nor to be separated from husband, wife, parent or child.

Services of apprentices real estate.

12. And be it further enacted, that the services of all such apprenticed labourers shall and are hereby declared to be real estate, and not chattels, and shall descend unto the heir of the person dying seised thereof according to the custom and manner of inheritance held in fee simple, and widows shall be capable of being endowed thereof: provided always, that any executor or administrator may inventory the said labourers, but not take them into his custody, to the intent that if there be not sufficient goods and chattels to pay the debts of the deceased, the residue of the services of the said labourers shall be taken and sold by such executor or administrator for the payment of the said debts, and be chattels for that purpose, and not otherwise.

Services of apprentices transferable by bargain and sale.

13. And be it further enacted and declared, that the right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall pass and be transferable by bargain and sale, contract, deed or conveyance, in the same manner as real estate passes, or is transferred according to the laws of these Islands; provided, that no such apprenticed labourer shall, by virtue of any such bargain and sale, contract, deed or conveyance, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him, except with the consent of the party whose services are proposed to be sold or transferred.

No market to be held or goods sold on Sunday.

14. And be it further enacted, that from and after the 1st day of August 1834, no person whosoever shall on Sunday expose for sale in any market or other place, or in any shop or other place, any goods, wares or merchandize, or provisions, under a penalty not exceeding 5 *l.* for every offence; provided, that in case the goods or provisions so exposed for sale, shall not exceed in value the sum of 5 *l.*, the same may, in lieu of such penalty, be forfeited by order of any justice of the peace, for the benefit of the poor of the parish in which such offence is committed: And provided also, that nothing herein shall extend to prevent the keeping open of any druggist shop, tavern or lodging house, or the sale of bread, fresh meat, fresh fish, or milk on Sunday, such sale, however, not to take place in any town or village during the celebration of divine service therein; and that from and after the 1st day of August 1834, one day in each week shall be given to every prædial labourer: provided, that nothing hereinbefore enacted, shall extend to any domestic work or labour which may be performed by any apprenticed labourers usually employed as domestics or watchmen by day or night, or mariners, nor to any labour performed by any apprenticed labourer in the tending or care of live stock, who shall continue to perform, for the usual periods, and at the usual hours, the duties respectively assigned to them; and except as aforesaid, no apprenticed labourer shall be compelled or compellable to labour on Sundays, except in cases of urgent necessity; in which case it shall be lawful for the owner or other person in management of such property where such necessity shall occur, to require and compel the immediate and continued service of any or all the apprenticed labourers during such emergency: And provided also, that prædial labourers employed in such works of necessity, tending cattle, domestic services, and protecting property, if employed on their own day, shall have some other day in lieu thereof.

Proviso.

One day in each week to be given to prædial labourers.
Not to extend to domestic work, &c.

No apprentice to labour on Sunday, except in cases of necessity.

Land, fish and time to be allowed prædial labourers.

15. And whereas, prædial slaves in these Islands are supplied partly by food, and partly by the cultivation of grounds set apart for the growth of provisions; Be it therefore enacted, that during the continuance of such apprenticeship as aforesaid, the person for the time being entitled to the services of every prædial apprenticed labourer shall allow to each and every such prædial apprenticed labourer a sufficient portion of land adapted to the growth of provisions, and at the rate of two pounds of salted fish in each and every week, for his support and maintenance, or some other equivalent, to the satisfaction of the prædial apprenticed labourer; and shall allow to each and every such prædial apprenticed labourer eleven days, to be deducted out of the 45 working hours in each week, over and above the one day allowed in each week and Sundays, in every year, at the discretion of such employer of the said prædial apprenticed labourers or their agent, and as by them may be deemed most advantageous and beneficial to such prædial apprenticed labourers.

Regulations respecting provision grounds.

16. And whereas it is necessary that proper regulations should be made and established, as to the extent of such provision grounds hereinbefore mentioned, and as to the distance at which

which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourer; Be it enacted, that for the purposes of this Act, all grounds hitherto allotted to every slave during such his state of slavery for his maintenance and support shall, during the term of his apprenticeship, in quantity, quality and locality, be deemed adequate and proper for the maintenance and support of every prædial apprenticed labourer, unless good and sufficient cause be shown to the contrary: provided, and be it enacted, that such prædial or non-prædial apprenticed labourer shall satisfy, in case of complaint, such special justice that he has kept his ground in a due and proper state of cultivation.

Penalty on labourers neglecting their houses and provision grounds.

17. And be it further enacted, that if any apprenticed labourer shall, by wilful neglect or indolence during his own time, suffer his house or provision ground to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction in writing of any special justice, to be obtained upon proof before him of such neglect or indolence, to put the house or provision ground of such apprenticed labourer into proper order for his comfort and support, and to deduct an equivalent quantity of labour from his own time, not exceeding 15 hours in any one week.

Provision to be made for labourers in cases where their grounds cannot support them.

18. And whereas, in certain parts of these Islands, there may not be lands proper for the cultivation of provisions, or by reason of long continuance of dry weather, or other casualty, the grounds hitherto appropriated for negro grounds may be rendered unproductive; Be it enacted, that in such case the master, owner or other person entitled to the service of such apprenticed labourer shall, by some other ways and means, make good and ample provision for all such apprenticed labourers to whose services they shall be entitled, in order that they may be properly supported and maintained, under a penalty not exceeding 40*s.* for each offence: provided always, that in such case, no diminution of the 45 hours, as hereinbefore mentioned, shall take place.

Clothing.

19. And be it further enacted, That it is and shall be the duty of every employer, or his agent, of apprenticed labourers, and he is hereby required, once in every year to deliver for the use of the labourers, clothing of the following description:—Six yards of oznaburgs, six yards of pennistons, or three yards six-fourths wide cloth for every labourer above 12 years of age, and half the quantity for every labourer under that age, and to each labourer one hat or cap: provided always, that employers may substitute other articles of clothing in lieu of those named, but which shall be in value equal to those mentioned in this clause.

Medical practitioner to be employed.

20. And be it further enacted, that every employer of apprenticed labourers shall employ some person duly qualified in the practice of physic and surgery, to attend them as occasion shall require, provided such medical practitioner can be procured; and that when any labourer shall be sick, or unable from any accident or cause whatsoever to perform his usual labour, the employer or his agent shall cause such labourer to be visited by the said medical practitioner, and shall provide such medicines, food and other necessaries as shall be deemed requisite by him; and the said practitioner, as has heretofore been customary, shall keep a book upon each estate, wherein the names of the patients, diseases, and his prescriptions shall be inserted.

Slavery utterly and for ever abolished after the 1st day of August 1834.

21. And be it further enacted, that subject to the obligations imposed by this Act upon such apprenticed labourers as aforesaid, all and every the persons who on the said 1st day of August 1834 shall be holden in slavery within these Islands, shall upon, and from and after the said 1st day of August 1834 become, and be, to all intents and purposes, free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall, in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be, and is hereby utterly and for ever abolished and declared unlawful throughout these Islands.

Apprenticed labourers entitled to the privileges of free persons.

22. And be it further enacted, that all persons who shall become apprenticed labourers on the said 1st day of August 1834, shall be, and are hereby declared to be entitled to all the rights and privileges of free persons, except as the same may be restricted by this or any other Act: provided always, that no person who shall become an apprenticed labourer by virtue of such Act, shall have or exercise any political franchise whatsoever by virtue of any property which he may acquire; nor be capable of serving as a juror, or of holding any office except as a constable or beadle; nor shall he be eligible to serve in the militia, unless in cases of great emergency, to be judged of by the Governor and a Council of War, when he shall be compelled to serve with the same liabilities as all other persons.

Exceptions.

Not to be arrested or imprisoned for debt.

23. And be it further enacted, that such apprenticed labourers shall not, during the continuance of such their apprenticeship, be liable to be arrested or imprisoned for debt.

Offenders under the Slave Act may be proceeded against.

24. And be it further enacted, that all offenders triable under the Act commonly called the Slave Act, and who shall not have been brought to trial before the 1st day of August next, shall and may be proceeded against and punished as the said Act provides, and as if this Act had not been passed.

Children under six years of age on 1st August 1834, and those born after that day, how provided for.

25. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children; Be it therefore enacted, that if any child, who on the said 1st day of August 1834, had not

not completed his sixth year; or if any child, to which any female apprenticed labourer may give birth on or after the said 1st day of August 1834, shall be brought before a special justice, and if it shall appear to the satisfaction of such justice, that the parent of any such child is incapable of providing it with an adequate maintenance, and that such child has not completed his age of 12 years, it shall be lawful for such justice, and he is hereby required, on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person entitled to the services of the mother of such child, or who had been last entitled to the services of such mother; but in case it shall be made to appear to any such justice that such person aforesaid is unable or unfit to enter into such indenture, and properly to perform the covenants thereof, then it shall be lawful for such justice, and he is hereby required, to bind any such child to any other person to be by him for that purpose approved, and who may be willing and able properly to perform such conditions; and the term of such apprenticeship of any such child shall, by such indenture, be limited and made to continue in force until such child shall have completed his twenty-first year, and no longer; and every child so apprenticed as aforesaid by the order of any such justice of the peace aforesaid, shall, during his apprenticeship, be subject to all such and the same rules and regulations respecting the work or labour to be by him done or performed, and respecting the food and other supplies to be to him furnished, as any other such apprenticed labourers as aforesaid.

Parents to make provision for their children.

26. And be it further enacted, that if any apprenticed labourer, being of good health and able to work, and being the father of a child under twelve years of age, shall not make adequate provision for the subsistence of such child, the special justice shall, on due proof, adjudge such labourer to be punished by hard labour, or by hiring him out during his own extra hours, and shall direct his earnings to be applied to the support of such child; and in case any child, so unprovided for as aforesaid, shall have no father living, then the mother, if competent by her labour, shall be compelled to provide for the subsistence of such child, and in default shall be sentenced to hard labour for any term not exceeding 20 days.

Indentures of apprenticeship of children.

27. And be it further enacted, by the authority aforesaid, that all indentures of apprenticeship of children required by this Act shall be, as nearly as the nature of the case will admit, in conformity with, and upon the same terms and conditions as indentures of apprenticeship of children made in England.

Special Justices.

28. And for ensuring the effectual superintendence of the said apprenticed labourers, and the execution of this Act; Be it further enacted, that it shall and may be lawful for His Majesty to issue, or to authorize the Governor, in the name and on the behalf of His Majesty, to issue, under the public seal of these Islands, special commissions to one or more person or persons, constituting him or them a justice or justices of the peace for the whole of these Islands, or for any district within the same, for the special purpose of giving effect to this present Act, and to any laws which may hereafter be made for giving more complete effect to the same; and every person to, or in favour of whom any such commission may be issued, shall, by force and virtue thereof, and without any other qualification, be entitled and competent to act as a justice of the peace within the limits prescribed by such his commission, for such special purposes as aforesaid, but for no other purposes: provided nevertheless, that nothing herein contained shall prevent, or be construed to prevent, any person commissioned as a justice of the peace for such special purpose as aforesaid, from being included in the general commission of the peace for these Islands, in case it shall seem fit to the Governor to address both such special commission and such general commission as aforesaid, in any case to the same person or persons.

Special Justices to have sole jurisdiction over all matters between employer and apprentice.

29. And be it further enacted, that the several justices of the peace having special commissions as aforesaid (and no other magistrate or justice of the peace in these Islands), shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences committed, or alleged to have been committed, by any such apprenticed labourer, or by his employer, in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services; provided that nothing herein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the superior courts of civil and criminal justice in these Islands.

Special Justices alone to punish apprentices.

30. And be it further enacted, that it shall not be lawful for any person entitled to the services of any such apprenticed labourer, or any other person other than such justices of the peace holding such special commissions as aforesaid, to punish any such apprenticed labourer for any offence by him committed, or alleged to have been committed, by the whipping, beating or imprisonment of his person, or by any other personal or other correction or punishment whatever, or by any addition to the hour of labour hereinbefore limited; nor shall any court, judge or justice of the peace punish any such apprenticed labourer, being a female, for any offence by her committed, by whipping or beating her person: provided always, that nothing in this Act contained shall extend to exempt any apprenticed labourer from the operation of any law or police regulation, for the prevention or punishment of any offence which is or shall hereafter be in force in these Islands, in respect to all other persons of free condition.

No female apprentice to be whipped or beaten.

Proviso.

Special Justices to appoint constables on each plantation.

31. And be it enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables,

constables, who shall be empowered to maintain peace and order on such plantation, under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation, who may be found loitering thereon without the knowledge or permission of the proprietor or manager thereof; such apprentice confined as aforesaid, not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of a special justice cannot be procured within 24 hours, it shall and may be lawful for the proprietor or manager aforesaid, to order the release of such apprentice so confined as aforesaid, after the expiration of 24 hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint, on which such apprentice was confined, before the special justice, when he shall next come upon the estate; and provided that nothing shall be construed to give to any such constable any power or authority over any of His Majesty's subjects, except such apprenticed labourers.

Their duty.

32. And be it further enacted, that any such special justice may, if he pass sentence of imprisonment or confinement upon any apprenticed labourer, if he shall see fit, direct that such confinement or imprisonment shall take place upon the plantation to which such apprentice shall belong, or be then working upon.

Apprentices may be confined on the estates to which they belong.

33. And be it further enacted, that the person entitled to the services of any apprenticed labourer working upon or attached to or living at any plantation or settlement upon which there shall be less than 40 apprenticed labourers, shall be at liberty to carry any offending apprentice before any special justice, at the plantation or settlement at which such special justice shall sit, nearest to the place where the offence shall have been committed, or to any place within the district where such special justice shall sit.

Offending apprentices on small properties may be carried before a Special Justice.

34. And whereas it is necessary that proper regulations should be provided for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he may voluntarily enter for any hired service during the time in which he may not be bound to labour for his employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention and punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot, or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape from these Islands of any such apprenticed labourers during their term of apprenticeship; Be it therefore enacted, that all such offences shall be tried in a summary manner before any justice appointed by special commission.

Offences which may be tried in a summary manner.

35. And be it further enacted, that if any apprenticed labourer shall resort to a special justice to complain against his employer, and that such complaint shall be adjudged frivolous or groundless, it shall be lawful for such special justice to punish such complaining parties, by adjudging them to repay double the extent of time which may have been lost to his employer, not exceeding fifteen hours in any one week, or such other punishment by stripes not exceeding twenty.

Groundless complaints punished.

36. And be it further enacted, that for every hour in which any labourer shall absent himself from the service of his employer without reasonable cause, to be decided by the special justice, he shall be compelled to serve two extra hours: provided, that such extra hours shall not exceed 15 in the whole in any one week.

Apprentice absenting himself for one hour punished.

37. And be it further enacted, that if any apprenticed labourer shall absent himself for more than six hours in any one week without a reasonable cause, to be decided on by the special justice, he shall be adjudged a deserter; if for two days during one week in like manner, he shall be adjudged a vagaboud; if for five days in any one week in like manner, he shall be adjudged a runaway: those adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding 15; and those adjudged runaways to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30.

Apprentice absenting himself for more than six hours, &c. in one week, deemed deserter, &c.

Punishments.

38. And be it further enacted, that any apprenticed labourer who shall during his apprenticeship wilfully absent himself from the service of his employer for a period exceeding three months at any one time, may be sentenced by any special justice either to serve his employer after the expiration of his apprenticeship for so long a time as he shall have so absented himself from such service, or to make satisfaction to his employer for the loss sustained by such absence (except so far as he shall have made satisfaction for such absence, either out of such extra hours as aforesaid or otherwise); provided, that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

Apprentice absenting himself for more than three months.

Punishment.

39. And be it further enacted, that any apprenticed labourer who shall be found wandering beyond the limits of the plantation of his employer without a written permission from such employer,

Apprentice found wandering may be apprehended.

employer, and who shall not be able to give a satisfactory account of himself, shall be liable to be apprehended, and upon conviction before any special justice aforesaid, shall be adjudged a vagabond and sentenced accordingly: provided, that nothing in this clause contained shall be applied to apprenticed labourers on their way to or from any place of divine worship on Sundays, or to or from market, or at such market or place: provided, that nothing herein contained shall be deemed or construed to abridge or in any wise interfere with the full and free use and enjoyment by such apprentices of the time allotted to them as their own under and by virtue of the provisions of this Act.

Apprentice harbouring deserter, &c. punished.

40. And be it further enacted, that if any apprenticed labourer shall harbour or conceal a deserter, vagabond or runaway apprenticed labourer, he shall, on conviction thereof, be punished by additional labour, confinement or labour on the tread-mill for any number of days not exceeding 20, at the discretion of the special justice.

Apprentice performing his work indolently, &c. punished.

41. And be it further enacted, that any apprenticed labourer convicted before the special justice of performing his work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in the service of his employer for any time not exceeding 15 hours in the whole in any one week; for the second offence to confinement with hard labour for any time not exceeding one week; for the third or any subsequent offence, to confinement with hard labour for any time not exceeding two weeks, with whipping not exceeding 20 stripes.

Careless use of fire, injury to property, &c. by apprentices punished.

42. And be it further enacted, that any labourer who, by the careless use of fire, shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer or any other person, or who shall ill-use the cattle or other live stock of his employer or any other person, or who shall, by wilful negligence, expose the property of his employer or any other person to any damage or injury, or who shall contumaciously disobey the lawful commands of his employer, shall for every such offence, be adjudged, in the discretion of the justice, either to extra labour in the service of his employer for any time not exceeding 15 hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30, or to any two or more such punishments: provided, that this enactment shall not exempt any such labourer from his liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him done or committed; but no such labourer shall be liable to be sued or prosecuted both under this Act, and under any such general laws as aforesaid.

Not to exempt apprentice from liability to actions, &c.

Illegal combinations among apprentices punished.

43. And be it further enacted, that any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers, or who shall be engaged in a combined and open resistance to such lawful commands, shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes.

Apprentices found drunk or fighting, or insolent, punished.

44. And be it further enacted, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent or insubordinate manner towards his employer, or any person in the immediate superintendence of his labour, shall, for every such offence be liable on conviction to imprisonment with hard labour for any term not exceeding one week, and whipping not exceeding 15 stripes.

No employer to inflict corporal punishment on apprentices, and no female apprentice to be whipped.

45. And be it further enacted, that all the offences specified in the three preceding clauses shall be inquired of by one of the justices having a special commission, unless he shall see cause to refer any case for trial to the court of grand sessions of the peace; and no employer shall be authorized to inflict any corporal punishment on any male apprenticed labourer, nor shall any woman be subject to be punished by whipping for any offence by her committed; but in all cases in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender shall, when committed by women for minor offences, be punished by confinement in the stocks, or solitary confinement for any period not exceeding 10 days, and for heinous offences not otherwise provided for, by hard labour on the tread-mill not exceeding 30 days, or such other punishment as shall be awarded by the special justice.

Inferior misdemeanors and crimes of apprentices to be heard and determined by special justice.

46. And be it further enacted, that all other inferior misdemeanors and other crimes committed by apprenticed labourers against each other, or against the person entitled to their services, or against any other person, and not hereinbefore specified, shall be heard and determined before any justice appointed by special commission, reasonable notice of the time and place of such trial being given to the person entitled to the services of the apprentice complained against, where such person so entitled to his services is not the complainant; and such justice upon conviction of such apprentice shall order and direct such punishment to be inflicted as he shall think proper, not exceeding 50 lashes, nor three months' imprisonment to hard labour or 10 days' solitary confinement: provided, that nothing in this clause contained shall be taken to authorize such magistrate to sentence any female apprentice above the age of twelve years to be flogged or beaten: and provided also, that nothing herein contained shall be deemed or taken to deprive any of His Majesty's subjects of their right to proceed against any such apprentice in any of the superior courts of this Island, for remedy against any apprentice for any wrong or injury done or committed to or against the person or property of such subject: and provided also, that when any apprenticed labourer shall be convicted of indolence or neglect, or improper performance of work, the special justice before whom such conviction

Females above the age of 12 years not to be flogged or beaten.

Special Justice may award additional punishment of labour.

viction shall take place, may if he sees fit, sentence the offender either alone or in addition to the punishment by flogging or hard labour hereinbefore directed, to labour for such number of hours or days in his own time for the benefit of the person entitled to his services, as the justice of the case may seem to require, not exceeding 15 hours in any one week.

47. And be it further enacted, that every employer of apprenticed labourers on estates shall intimate to such labourers the commencement and the close of the hours of labour; for which purpose a signal shall be given in such manner as shall, in reference to each estate, have been previously approved of by the special justice of the district; which signal shall always be of such a nature as shall be distinctly visible or audible to the several labourers in the service of such person.

Commencement and close of labour to be intimated by signal.

48. And be it further enacted, that every contract between the employer and the apprenticed labourer, for the performance of any specific work as a task and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall only be entered into with the free assent of the latter to the same, and shall not continue in force for more than one year from the date thereof; and if such contract extends beyond the period of fourteen days, it shall be reduced into writing by the employer, and entered in a book to be kept for that purpose on the estate, wherein shall be specified the nature and amount of the extra labour and the amount of the consideration to be given for the same, and the time and manner of payment thereof shall be distinctly expressed; which book it shall be the duty of the special justice to inspect as often as he may visit the estate in the execution of his duties: provided always, that every married woman, notwithstanding her coverture, and every child of the age of twelve years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts as aforesaid.

Contracts between employer and labourer for task work and other labour.

49. And be it further enacted, that no such contract as last aforesaid shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of fourteen days from the making thereof, unless the same shall have been made and entered into by such parties with the approbation of such special justice, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such fourteen days; and every such approbation of any such contract shall be attested by such special justice, under his hand, in the book so to be kept as aforesaid: provided always, that the said special justice, before his approbation of any such contract, shall ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same, and that they have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

Contracts between employer and labourer to be approved of by special justice.

50. And be it further enacted, that any apprenticed labourer violating the terms of such contract as aforesaid for task work or for extra service, shall be liable to the same pains and penalties as are hereinbefore provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer.

Apprentice violating terms of contract punished.

51. And be it further enacted, that all complaints made by any apprenticed labourer against the person entitled to his services, touching any fraud practised, or refusal to furnish any such apprenticed labourer with sufficiency of provision ground, or of other means of maintenance and support, in cases where such apprentice hath no provision ground, or of illegally and improperly withholding from such apprentice any portion of the time allowed him to cultivate such ground, or of imposing task work on any apprenticed labourer contrary to the provisions of this Act, or of breach of any contract on the part of any person engaging the voluntary services of any apprenticed labourer, or of any cruelty, injustice or other wrong or injury done to or inflicted upon any apprenticed labourer by the person entitled to his services, shall be heard, adjudged and determined before any one or more special justice or justices; and he or they is and are hereby empowered to punish any offender in any of these respects last mentioned with a fine not exceeding 5 *l.*; and for default of goods and chattels whereon to levy such fine, the offender shall be committed to gaol until he shall pay or satisfy the same, but such imprisonment shall not exceed five days: provided that nothing herein mentioned shall be deemed or taken to bar or destroy the right of any apprenticed labourer to proceed in the superior courts for any wrong or injury done to or committed against his property or person by any person whomsoever.

Complaints of apprentices to be heard and determined by special justices.

52. And be it further enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace who shall be present at the same, shall proclaim, or cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly; and all persons who at the expiration of ten minutes from such proclamation, or exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment with hard labour for any time not exceeding twelve months.

Riotous assemblages of apprentices punished.

53. And be it further enacted, that it shall not be lawful for any apprenticed labourer to keep, use or have in his possession any gunpowder, gun, swords, pistols or fire-arms of any description whatsoever, or any other offensive weapons, unless with the knowledge and consent of his master or manager.

Apprentices not to keep gunpowder or fire-arms.

54. And be it further enacted, that every apprentice so offending shall, on conviction before any special justice, be punished with whipping, imprisonment, hard labour in the penal gang or

Punishment for such offence.

or house of correction of the district, or any two or more of those punishments, as may be awarded by such special justice: provided that such whipping shall not exceed 39 lashes, and such imprisonment shall not exceed one month.

Employer may seize fire-arms, &c.

55. And be it further enacted, that it shall be lawful for any such master, manager or lawful employer to seize and retain to his own use any gunpowder, guns, swords, pistols or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

Unlawful meetings of apprentices deemed felony.

56. And whereas it is necessary to prevent secret and unlawful meetings of apprenticed labourers; Be it further enacted, that all such labourers who shall be found at any meeting, formed either for the purpose of administering unlawful oaths or entering into unlawful compacts, or of learning the use of arms, or opposing or resisting any persons employed to apprehend them, or for any other unlawful purpose, such labourers shall, on conviction thereof, be deemed guilty of felony, and shall suffer transportation for life, or such other punishment as the court shall direct; and if any other person shall be present at any such meeting, and aiding and assisting in any of the unlawful purposes hereinbefore mentioned, such person shall, upon conviction thereof in the court of grand sessions of the peace, be punished by transportation for life, or fine, or imprisonment with hard labour, or both, as the court shall direct; and if any person, having any knowledge of such unlawful meetings as aforesaid shall not forthwith give information thereof to a justice of the peace, such person shall, on conviction before the court of grand sessions of the peace, suffer such punishment by fine, or imprisonment with hard labour, or both, as the court shall direct.

Labourer not to reside beyond limits of estate on which he resided on 1st August 1834, and not to quit the colony.

57. And be it further enacted, that no labourer shall reside beyond the limits of the estate on which he may be resident, on the 1st day of August 1834, without the consent in writing of his employer; and if any labourer shall quit or attempt to quit the colony without a passport from the Governor, which shall not be granted without the written consent of his employer, he shall, on conviction, be sentenced to imprisonment with hard labour, for any term not exceeding six months; and any person removing or assisting to remove any labourer as aforesaid, shall, on conviction, be liable to a penalty not exceeding 100*l.* currency, or to imprisonment for any time not exceeding 12 months; such fine to be paid to the person entitled to the services of the labourer so removed.

Apprentices forming unlawful establishments punished.

58. And be it further enacted, that any apprenticed labourers who shall or may establish themselves without lawful authority in any part of the colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed on them by law, shall, on conviction before a special justice, be sentenced to imprisonment with hard labour for any term not exceeding six months; and, if a male, to whipping, by any number of stripes not exceeding 39; and the said justice shall cause such community to be dislodged, and their habitations to be taken down and removed, if necessary.

Labourers taking unlawful possession of land to be dispossessed.

59. And be it further enacted, that if any labourer shall, without lawful authority, enter into the possession of any land belonging to His Majesty or to any other person, it shall be the duty of the special justice to dispossess such labourer from such land, and from any buildings erected thereon, and to cause the same, with all the crops growing thereon, to be delivered up to the owner of the land, or in case the owner shall not within one month after such seizure appear and prefer his claim to such land, then the said justice shall order the crops, cattle and other goods seized thereupon, to be sold, and the proceeds of such sales to be paid to the treasurer for the public use; and if such possession was fraudulently taken, or with full knowledge that the party had no claim thereto, such labourer shall be sentenced by the said justice to imprisonment with hard labour for any term not exceeding three months; provided always, that where a labourer shall have been two years in undisturbed possession of any such land, the summary process aforesaid shall not be taken without one month's notice being previously given to the occupant.

Fishermen and mariners to be registered.

60. And be it further enacted, that all apprenticed labourers, whose ordinary occupation is on the sea as fishermen or mariners, shall be registered as such at the office of the special justice by their employer; and any apprenticed labourer engaging in such occupation unknown to his employer, shall be liable to imprisonment with hard labour for any time not exceeding three months.

Vessels and boats to be numbered and registered.

61. And be it further enacted, that all vessels and boats, not registered under the Navigation Acts, shall be numbered and registered at the office of the special justice, and the number shall be conspicuously painted on the outside of each bow thereof; and the said justice shall be authorized and required to grant a license to keep such vessel or boat, together with her description, the name of the owner, and the place at which the same is usually moored or hauled up; and all unlicensed vessels or boats shall be liable to seizure and condemnation by the special justice; and all vessels and boats, moored or hauled up at any place not mentioned in the license, shall be liable to detention by the special justice, until the owner thereof shall have paid a fine of not less than 40*s.*, nor more than 10*l.* currency, and in default of payment within 24 hours, the same shall be sold by order of the special justice.

No person to purchase sugar, cotton, &c. from apprentices.

62. And be it further enacted, that if any person whomsoever shall buy, barter, or truck for, or receive by any means, of or from any apprenticed labourer, sugar, cotton, rum, molasses, cocoa, coffee, charcoal, firewood or other goods or merchandize of any sort, fish, poultry, goats, hogs, grass, fruit and vegetables of any sort excepted, without the knowledge or consent of the employer of such labourer, signified by a note in writing specifying the nature and

and quantity of the goods, upon complaint made to any justice of the peace, the person so offending shall be bound over to appear at the next sessions of the peace to be held for these Islands; and, upon conviction thereof, such person shall be fined in a sum not exceeding 5*l.*, or double the value of the goods so clandestinely bought.

Apprentices fined may, upon non-payment, be sentenced to hard labour on tread-mill.

63. And be it further enacted, that in all cases where an apprenticed labourer shall have been convicted of an offence punishable by fine under this or any other Act, if he shall be unwilling or unable to pay such fine, it shall be lawful for the court or special justice to sentence such labourer to hard labour, in the proportion of one day for every 5*s.* of fine imposed; and in all cases in this Act where hard labour is mentioned, it shall be deemed to be hard labour on the tread-mill in the manner prescribed by the Act for the regulation thereof, or in repairing the public works or highways, or otherwise.

Warrants of justices of the peace to be duly executed.

64. And be it further enacted, that all warrants from any justice of the peace, directed to any constable or to the Provost Marshal General, or his lawful deputy, to make levies, or for any other matter whatsoever, shall be duly executed by such constable, the Provost Marshal General, or his lawful deputy, under a penalty not exceeding 50*l.* current money, to be levied by warrant of any justice whose former warrant he shall neglect or refuse to execute; and if the Provost Marshal General, or his lawful deputy, shall neglect or refuse to perform or execute any of the duties prescribed unto him by this Act, and for which no penalty s declared, he shall forfeit and pay the sum of 50*l.* current money for every neglect or refusal, to be levied as aforesaid; and whenever any warrant shall be granted against any apprenticed labourer who cannot be taken, and it should be proved that the employer, attorney or manager of such apprenticed labourer wilfully detained or concealed the said labourer, he shall forfeit any sum not exceeding 100*l.*

Penalty on employer concealing apprentice.

Penalty on Justices of the peace refusing to act.

65. And be it further enacted, that if any special or other justice of the peace shall refuse or neglect, upon application made to him, immediately to take proper measures to apprehend and bring to trial any apprenticed labourer whatsoever, for felony or any offence of an inferior nature charged on any such labourer, such justice shall forfeit 50*l.* current money, to be recovered in any court of record within these Islands, one moiety whereof shall be paid to the prosecutor or informer, and the other moiety to His Majesty, his heirs and successors, for the public uses of these Islands.

Fines and forfeitures.

66. And be it further enacted, that all fines and forfeitures laid by this Act shall be deemed and taken to be current money; and where no particular method of recovery of the forfeitures mentioned in this Act is directed, and the same do not amount to more than 5*l.* current money, the same shall be recovered before any special justice of the peace by warrant of distress and sale of the offender's goods and chattels, to be applied to the use of the public of these Islands.

Protection of persons acting under this Act.

67. And for the protection of persons acting in the execution of this Act; Be it further enacted, that all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act, shall be commenced within 10 calendar months after the act committed, and not otherwise; and notice in writing of such action, and the cause thereof, shall be given to the defendant one calendar month, at least, before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon: and no plaintiff shall recover in any such action if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue any such action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

Interpretation of words used.

68. And be it further enacted, that in all cases where words in this Act importing the singular number or the masculine gender only are used, yet the Act shall be understood to include several matters as well as one matter, and several persons as one person, and females as well as males; and the word person shall be construed as applicable to every description of persons whatsoever, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

— No. 44. —

St. Vincent.—(No. 311.)

AN ACT to provide for the general Registration of all Slaves belonging to or settled in these Islands.—(Passed 19th May 1834.)

No. 44.

WHEREAS by an Act recently passed the British Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," it has become necessary that a general registry of the slaves within these Islands should be made for the purpose of ascertaining the exact number of slaves belonging to or settled in these Islands; Be it therefore enacted, by the Lieutenant Governor, Council and

and Assembly of the Island of St. Vincent and its dependencies, that from and after the 1st day of August now next ensuing, the several Acts relative to the registry of slaves and all parts thereof shall be wholly repealed, save and except for the punishment of such offences or the recovery and levying of such fines as may have been committed or incurred during the present registry, the said Acts and every of them shall be considered and taken to be in force for the space of twelve calendar months from the said first day of August.

2. And be it further enacted, that the registrar of slaves shall provide at the public expense the necessary books for the registry and enrolment hereinafter directed, in which books shall be entered and registered the names, sexes, ages and occupations of all slaves belonging to or settled in these Islands.

3. And be it further enacted, that between the passing of this Act and the 1st day of June in the present year, every person who shall be possessed of any slaves within these Islands shall upon oath make and deliver to the registrar of slaves a list, in manner and form directed by the schedule hereto annexed, of all slaves owned or possessed by them, whether in their own right or in right of others, and of whom in particular by name, and which shall contain the names, sexes, ages and occupations of all such slaves.

4. And whereas it will be necessary to ascertain the exact increase and decrease which shall take place in the number of slaves between the said 1st day of June hereinbefore mentioned and the 1st day of August next; Be it therefore enacted by the authority aforesaid, that on or before the 1st day of August next, a return upon oath shall be made to the registrar of all increase or decrease of slaves which shall have taken place between the said 1st day of June and the 1st day of August, specifying the particular cause of increase or decrease, whether by birth, gift, inheritance, purchase, sale, death or otherwise.

5. And be it further enacted, that in case any person or persons whatsoever shall wilfully neglect to give in to the said registrar a list or lists, schedule or schedules of his her or their slave or slaves as directed by this Act, every such person or persons so neglecting shall be liable to all such pains, penalties and forfeitures as are imposed by the Acts of these Islands for the registration of slaves upon any person or persons wilfully guilty of such neglect.

6. And be it further enacted, that in case any person or persons whatsoever shall wilfully insert or cause to be inserted in the list or lists, schedule or schedules of his her or their slave or slaves, so by them given in as directed by this Act to the said registrar the name or names of any slave or slaves who shall not actually and *bonâ fide* belong to or be in the possession of the person making such return at the time of making such returns, every person or persons so offending shall upon conviction thereof forfeit and pay for each and every name so falsely inserted as abovesaid, the sum of 100 *l.* current money of this Island, one moiety thereof to be paid to the informer, and the other moiety to be paid into the public treasury of this Island.

7. And be it further enacted, that the registrar shall do and perform all such acts and things in and about this general registration appointed to be taken by this Act as are required by the several Slave Registry Acts of these Islands to be done and performed at any previous registry or return of slaves; and if the registrar shall omit or neglect to perform any of the duties required of him in and by the said registry Acts of these Islands, or either of them, or if he shall in any matter or thing relating to the general Registry established by this Act be guilty of any offence contrary to the provisions hereof, he shall for every omission, neglect or offence be subject and liable to and shall incur the like fines, forfeitures, pains and penalties as are imposed by the said Registry of Slave Acts, or either of them, for such and the like omission, neglect or offence.

8. And be it further enacted, that as soon as the said returns shall have been made, the registrar shall proceed to register and copy the same, with all convenient speed, in a distinct and legible hand in the books hereinbefore directed, to be kept by him precisely according to the returns given in.

9. And be it further enacted, that as soon as the registrar shall have entered and recorded in the said books the returns made to him, he shall subscribe his name and affix his seal of office thereto, and below his signature shall write the following affidavit, which shall be sworn to by him before the Governor or Lieutenant-Governor in manner following:

"Before *A. B.* [inserting the name and title of the Governor or Lieutenant-Governor, as the case may be.]

"Personally appeared *C. D.*, the registrar of slaves for the Island of St. Vincent and its dependencies, who being duly sworn on the Holy Evangelists, makes oath and says, That he the said *C. D.* has twice carefully examined and compared all the preceding entries in this book [or this set of books] with all the different returns of slaves delivered to him, first by examining the said entries, while his clerk or assistant read the original returns respectively entered therein, and afterwards by examining the said returns, while his clerk or assistant read the said entries in the book [or set of books] respectively made therefrom; and that he is enabled thereby to depose and does depose that the preceding registry of slaves of the Island of St. Vincent and its dependencies is in all respects correctly and faithfully made."

Which

Which affidavit shall be authenticated under the hand of the Governor or Lieutenant-Governor, and the great seal of these Islands, in manner following:

"I, *E. F.*, [inserting his name and title of office] do hereby certify, That the above affidavit was duly sworn before me this —— day of —— 183—. Witness my hand and great seal of these Islands, this —— day of —— One thousand eight hundred and ——."

10. And be it further enacted, that as soon as the registrar shall have completed the registry and sworn to the same in the manner hereinbefore directed, all the books containing registry of slaves shall be by the said registrar deposited in the secretary's office of this Island, and a certificate by the secretary subscribed, certifying any copies or extracts from the same, shall be received in all courts and by all judges, magistrates and others in authority within these Islands as sufficient evidence of the authority of said copy, and a sufficient *primâ facie* evidence of the matters so certified, and shall be allowed for each certificate the sum of 3*s.* for every 96 words, a figure counting for a word.

The Return of *A. B.* of Slaves, his own property, or the property of others, [as the case may be.]

SCHEDULE.

NAMES.	SEXES.	AGES.	OCCUPATIONS.

— No. 45. —

No. 45.

St. Vincent.—(No. 316.)

AN ACT for establishing a Police for the Regulation of Apprenticed Labourers, and for carrying into effect certain provisions of an Act, intituled, "An Act for the Abolition of Slavery in the Island of St. Vincent and its Dependencies, in consideration of Compensation, and for promoting the Industry and good conduct of the Manumitted Slaves."—(Passed 23d June 1834.)

Whereas by an Act recently passed the Imperial Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," exclusive cognizance of all matters incident to and arising out of the relation of the apprenticed labourers and their employers, is given to the magistrates to be appointed by virtue of the said Act, and it has become necessary to assign certain limits, and to make provision for the exercise of their jurisdiction, and for ensuring the effectual superintendence of apprenticed labourers; Be it therefore enacted by the Lieutenant Governor, Council and Assembly of the Island of St. Vincent and its dependencies, that the Island of St. Vincent and its dependencies be divided into three divisions, to be denominated the first or Windward division, which shall include Charlotte parish; the second or Southern division, which shall include St. George's parish, the Grenadines and that part of St. Andrew's parish, called New Edinburgh; and the third or Leeward division, which shall include St. Patrick and St. David's parish, and that part of St. Andrew's not included in the second or southern division, and that each of the said divisions be subdivided into three judicial districts.

2. And be it further enacted, by the authority aforesaid, that the boundaries of the judicial districts shall be as follows; namely, in the first or windward division, the first judicial district to be denominated the George Town district, to include that part of Charlotte parish lying between the western boundary of the Fancy Estate and Byera River; the second judicial district to be denominated Colonarie Bay district, to include that part of Charlotte parish lying between Byera River and the northern boundary of the Union estate; the third judicial district to be denominated Biabou district, to include that part of Charlotte parish, lying between the northern boundary of the Union estate and Yambou River, together with the northern portion of Marriaqua Valley; in the second or southern division, the first judicial district to be denominated the Calliaqua district, to include that part of St. George's parish lying between Yambou River and the western boundary of the Villa estate, together with the southern portion of Marriaqua Valley; the second judicial district to be denominated the Kingstown district, to include the remaining part of St. George's parish, and that part of St. Andrew's parish called New Edinburgh; the third judicial district to be denominated the Grenadine district, to include Bequia and such of the islands as lie to the northward of Carriacou; in the third or leeward division, the first judicial district to be denominated the Buccament district, to include that part of St Andrew's parish not included in the second division; the second judicial district to be denominated the Barrouallie district, to include St. Patrick's parish; and the third judicial district to be denominated the Chateaubeliar district, to include St. David's parish.

3. And be it further enacted, that the Governor of this Colony shall be empowered, with the advice and consent of His Majesty's Privy Council of these Islands, to make such alterations in the said limits and boundaries, as may be found by experience to be expedient to the public convenience and advantage, or necessary to carry the purposes and intentions of this Act more fully into effect.

4. And be it further enacted, that a stipendiary justice shall preside over each of the divisions, and shall actually reside within the limits thereof, except prevented by sickness or other reasonable cause to be allowed by the Governor.

5. And that for the purpose of more effectually maintaining the public peace, the Governor shall be empowered to appoint, in each of the said judicial districts, three or more special magistrates, with the same powers and authorities as are given to the stipendiary magistrates.

6. And be it further enacted, that such justices shall on the Saturday in each and every week, or oftener, if necessary, hold a petty session within their divisions and districts, for hearing and deciding upon such cases as may be brought before them; and the stipendiary justice shall once in each fortnight, or oftener if need be, repair to each estate within his division, then and there to take cognizance of such cases as may be brought before him.

7. And be it further enacted, that every stipendiary magistrate shall keep a journal of all cases brought before him, in which he shall enter—1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision had been carried into effect; 8th, any general remarks which he may think desirable.

8. And be it further enacted, that at the end of each quarter, the stipendiary magistrate shall transmit to the Governor a duplicate of his journal, for the preceding quarter, with an affidavit thereto annexed, to be sworn before any magistrate, to the effect that it has been faithfully kept, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such stipendiary magistrate, during the quarter to which it refers.

9. And be it further enacted, that it shall be the duty of the stipendiary and special justices, on receiving any complaint, to reduce it to writing, and to cause it to be read by, or to read it over to the complainant by whom it shall be then subscribed, when if the complaint shall appear to the justice immaterial and not to deserve further inquiry, he may dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

10. And be it further enacted, that upon taking any complaint, to the truth of which such oath may have been made as aforesaid, the justice in all cases which impute to the party charged a capital or transportable offence, where there is reason to apprehend that the party charged will endeavour to escape, or when there is reason to apprehend danger to the public peace, shall issue his warrant for the arrest and apprehension of the party charged, and in all other cases the justice shall proceed in the first instance by summons.

11. And be it further enacted, that in all cases in which it may be necessary to adduce witnesses in support of or in answer to any complaint, the stipendiary or special justice shall issue a summons to every such witness; and if any person summoned as aforesaid, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice, in relation to the matters depending before him, it shall be lawful for such justice to issue his warrant for the arrest and apprehension of such defaulter, or to commit to close custody, there to remain until he shall submit to be sworn and examined, and to make such answers as aforesaid.

12. And be it further enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any complaint, the justice shall in the presence of all parties, first read over the written complaint, and then take down in writing the answer of the party charged, and proceed to examine on oath the party complaining and the witnesses; taking down in writing the deposition of each witness, which shall be read over by or to such witness, and signed by him.

13. And be it further enacted, that the justice may from time to time adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody, pending such adjournment, or take bail for his appearance; and at the close of the proceedings the justice shall pronounce his decision thereupon, which shall be reduced into writing and subscribed with his hand.

14. And be it further enacted, that the justice shall either dismiss the complaint, and state in his written decision whether it was dismissed as being unproved, or as frivolous and vexatious or malicious; or sanction any compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial at the court of grand sessions of the peace for the imputed offence.

15. And be it further enacted, that any summons, warrant or order issued by any stipendiary or special justice within his own district, may without further authority be carried into execution in any part of these Islands.

16. And be it further enacted, that if any suit or action shall be commenced against any stipendiary or special justice, in respect of any act, matter or thing by him done, by virtue and

and in pursuance thereof, the court shall give judgment for the defendant, the plaintiff shall by such judgment be condemned to pay treble costs of suit.

17. And for the protection of all persons acting in the execution of this Act; Be it enacted, that all actions and prosecutions to be commenced against any person for any thing done in pursuance of this Act, shall be commenced within six calendar months after the fact committed, and not otherwise; and notice in writing of such action and of the cause thereof shall be given to the defendant, one calendar month at least before the commencement of the action; and in any such action the defendant may plead the general issue and give this Act and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought, or if a sufficient sum of money shall have been paid into court after such action brought, by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit or discontinue any such action after issue joined, or if upon demurrer or otherwise judgment shall be given against the plaintiff, the defendant shall recover his full costs as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases.

18. And be it further enacted, that in each of the divisions into which these Islands shall be divided, a police settlement shall be established, and be under the particular superintendence of the stipendiary justice who may for the purposes of this Act be appointed thereto; and that whenever an Act of the Lieutenant Governor, Council and Assembly shall be passed for the purpose, there shall be erected at each of such police settlements such buildings as may be deemed necessary.

19. And be it further enacted, that each police establishment shall consist of one serjeant and four policemen, all able-bodied men, between the ages of 20 and 50 years, to be appointed by the Governor, and liable to be removed by him for bad conduct or inefficiency.

20. And be it further enacted, that the serjeants and policemen so to be appointed shall be liable to be suspended from office by the stipendiary justice for the division, subject to the Governor's confirmation or disallowance of such suspension.

21. And be it further enacted, that the serjeants and policemen of each police settlement shall be annually provided with a uniform, and with such weapons and accoutrements as may be best adapted to the service.

22. And be it further enacted, that the policemen in each police settlement shall receive pay at the rate of 50 *l.*, and the serjeants 100 *l.* currency per annum.

23. And be it further enacted, that it shall be the duty of the serjeants and policemen to carry into execution such orders as they shall receive from any of His Majesty's justices of the peace, or any stipendiary or special magistrate, or special justice, for the prevention and repressing of crime and for enforcing obedience to the laws.

24. And be it further enacted, that the employer of the labourer sentenced to the treadmill shall pay to the keeper 9*d.* currency per day for feeding him; and no fees for commitment and release shall be allowed.

25. And be it further enacted, that at each police settlement shall also be established a penal gang, to be composed of such persons as may be sentenced to labour therein.

26. And be it further enacted, that as often as the stipendiary magistrate of the division shall so direct, the said penal gang shall, under the superintendence of the serjeant, or in his absence, of some other member of the police, be employed in any laborious work, either upon the public roads or works, or otherwise, as may be deemed expedient, either for the support of the prisoners at such settlement, or for the public advantage.

27. And be it further enacted, that each stipendiary justice shall once in each quarter make to the Governor a report of the effective strength and condition of the police force at each settlement, and of the state of the buildings, and also of the state and conduct of the prisoners therein confined.

28. And be it further enacted, that the stipendiary justice of each division shall from time to time establish all necessary rules for the internal discipline of the said police establishment, for a due separation of prisoners of different sexes, for their religious instruction, for the maintenance of cleanliness, order and sobriety among them, and for the prevention and prompt punishment of any neglect or violation of such rules, which shall be first submitted to and approved of by the Governor; and within the meaning and for the purposes of this Act every person who for the time being shall be in the lawful administration of this government shall be taken to be the Governor thereof.

29. And be it further enacted, that in all cases where words in this Act importing the singular number or masculine gender only are used, yet the Act shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males; and the word "person" shall be construed as applicable to every description of persons whatsoever, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

30. And be it further enacted, that this Act shall commence and be in force on, from and after the 1st day of August 1834, and continue until the 1st day of August 1840.

ST. VINCENT.

Appendix (B.)

Colonial Laws. No. 46.

— No. 46. —

St. Vincent.—(No. 318.)

AN ACT to repeal the 21st and 22d Clauses of an Act, intituled, "An Act for establishing a Police for the regulation of Apprenticed Labourers, &c. &c. &c., and to increase the Pay of the Policemen in each Police Settlement."—(Passed 29th December 1834.)

WHEREAS it is expedient that the 21st and 22d clauses of an Act for establishing a police for the regulation of apprenticed labourers, &c. &c. &c. should be repealed: We, therefore, Your Majesty's most dutiful and loyal subjects, the Lieutenant Governor, Council and Assembly of the Island of St. Vincent and its dependencies, pray Your most Excellent Majesty, that it may be enacted, and be it and it is hereby enacted, by the authority aforesaid, that the said 21st and 22d clauses of the said Act shall be and the same are hereby repealed accordingly.

And be it further enacted, that the policemen in each settlement shall from and after the publication of this Act receive pay at the rate of 80 *l.*, and the serjeants 120 *l.* currency per annum, each payable monthly, and shall annually provide themselves with a uniform under the direction of the stipendiary magistrates.

And be it further enacted, that the serjeants and policemen of each police settlement shall be provided, at the public expense, with such weapons and accoutrements as may be best adapted to the public service.

GRENADA.

GRENADA.

No. 47.

—No. 47.—

Grenada.

AN ACT for carrying into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the third and fourth years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies.—(Passed 8th March 1834.)

Preamble.

WHEREAS an Act has recently passed the Imperial Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves:" And whereas by that Act the sum of 20,000,000 *l.* sterling is appropriated as a compensation for the holders of slaves whose property is thereby effected: And whereas in consideration thereof it is expedient that a Bill should pass the Legislature of this Island, for giving effect to the said Act for the Abolition of Slavery: And whereas in and by the first section of the said Act, of the 3d and 4th of William the Fourth, it is enacted, "That from and after the 1st day of August 1834, all persons who in conformity with the laws now in force in the said Colonies respectively, shall, on or before the 1st day of August 1834, have been duly registered as slaves in any such Colony, and who on the said 1st day of August 1834 shall be actually within such Colony, and who shall by such registries appear to be on the said 1st day of August 1834, of the full age of six years or upwards, shall by force and virtue of this (the now in part reciting Act) and without the previous execution of any indenture of apprenticeship or other deed or instrument for that purpose become and be apprenticed labourers, provided that for the purposes aforesaid every slave engaged in his ordinary occupation on the seas shall be deemed and taken to be within the Colony to which such slave shall belong:" And whereas it is further provided and enacted in and by the said Act, that amongst other things therein contained, during the continuance of the apprenticeship of any such apprenticed labourer, such person or persons shall be entitled to the services of such apprenticed labourer as would for the time being have been entitled to his or her services as a slave, if the said Act had not been made; and that a division of the said apprenticed labourers into three distinct classes should be made and effected as therein mentioned and hereinafter enacted; the first class to consist of prædial apprenticed labourers attached to the soil, and comprising such persons as are therein mentioned; the second class to consist of prædial apprenticed labourers not attached to the soil, and comprising such persons as are therein also mentioned; and the third class to consist of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes, subject to the proviso therein mentioned, that no person of the age of 12 years or upwards should be included in either of the said two classes of prædial apprenticed labourers, unless such person should for 12 calendar months at the least, next before the passing of the said in part reciting Act, have been habitually employed in agriculture, or in the manufacture of colonial produce; and that no such prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840, nor during such his or her said apprenticeship be liable to labour in his or her employer's service for more than forty-five hours in the whole in any one week, and no such non-prædial apprenticed labourer should continue in such apprentice-

ship

ship beyond the 1st day of August 1838, and that before the expiration of the apprenticeship of any apprenticed labourer, it shall be lawful for the person or persons entitled to the services of such apprenticed labourer to discharge him or her therefrom, in such manner as therein provided for, and as hereinafter enacted: provided, nevertheless, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid, shall at that time be of the age of 50 years or upwards, or shall be then labouring under any such disease, or mental or bodily infirmity, as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom, and that any apprenticed labourer might purchase his or her discharge from such apprenticeship without the consent, or in opposition, if necessary, to his or her employer's will, in the manner therein provided for, and hereinafter enacted; and that no prædial apprenticed labourer, attached to the soil, should be liable to perform any labour in the service of his or her employer, except upon, or in or about the works and business of the plantations or estates, to or on which such prædial apprenticed labourers shall have been attached or worked, or usually employed on or previously to the said 1st day of August 1834, except with a written consent of two special justices of the peace, as thereinafter directed to be appointed, which consent shall be in such manner and form as therein is provided for, and hereinafter enacted; and that the right or interest of any employer to or in the services of any apprenticed labourers, shall be transferable in such manner and form as therein is mentioned and hereinafter is enacted, and that in cases in which the food therein directed to be allowed to any prædial apprenticed labourer shall be supplied, not by the delivery to him or her of provisions, but by the cultivation by such prædial apprenticed labourer, of ground set apart for the growth of provisions, the actual extent of such ground, and the distance thereof from the place of residence of the prædial apprenticed labourer, for whose use it may be so allotted, and the length of time to be deducted and allowed to him or her for the cultivation of the said ground, shall be regulated in manner therein provided for and hereinafter enacted: And whereas by the 14th section of the said in part recited Act, His Majesty, or the Governor of any Colony, by His Majesty's authority, may appoint justices of the peace by a special commission to give effect to the said in part recited Act, and to all Colonial Laws to be made in pursuance thereof: And whereas in and by the 16th section of the said in part recited Act, after reciting as therein mentioned, it is enacted and declared, that nothing in the said in part recited Act contained, extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies of any such Acts of General Assembly as may be requisite for making and establishing such several rules and regulations as are therein as aforesaid, or in any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, that it shall not be lawful for any such Governor, Council and Assembly, by any such Acts of Assembly as aforesaid, to make or establish any enactment, regulation, provision, rule or order, which shall be in anywise repugnant or contradictory to the said reciting Act, or any part thereof, but that every such enactment, regulation, provision, rule or order, shall be and is thereby declared to be absolutely null and void and of no effect: And whereas it is in and by the 18th and 19th sections of the said in part recited Act provided and enacted, that it shall not be lawful for any such Governor, Council and Assembly, by any such Acts of General Assembly as aforesaid, to authorize any magistrate or justice of the peace, other than and except the justices of the peace holding such special commissions as aforesaid, to take cognizance of any offence committed or alleged to have been committed by any such apprenticed labourer, or by his or her employer, in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing, incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services; and every enactment, regulation, provision, rule or order, in any such Acts to the contrary contained, shall be, and is thereby declared to be null and void, and of no effect; and that the several justices of the peace having such special commissions as aforesaid, shall, within the respective colonies to which they shall be respectively appointed, have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all such offences or alleged offences as last aforesaid, and of every such breach, violation or neglect of any of the aforesaid obligations, and of every such question, matter or thing as aforesaid, any law, custom or usage in any of the said colonies to the contrary in anywise notwithstanding: provided, nevertheless, that nothing therein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the Supreme Courts of Record, or the Superior Courts of civil and criminal justice, in any of the said respective Colonies: And whereas it is desirable and expedient, that such of the provisions of the said in part recited Act, as relate to the internal concerns of this Island and its dependencies, and as far as the Legislature thereof has power and authority reserved to it under the said in part recited Act, to enact, should be forthwith enacted in the manner hereinafter mentioned, expressed and contained: And whereas it is necessary in furtherance of the said Act of the 3d and 4th of William the Fourth, and for the purposes of this Act, and for the effectually carrying into operation the several rules, regulations and provisions in the said Act of the 3d and 4th of William the Fourth, and hereinafter contained, that this Colony be divided into districts for the judicial cognizance by and peculiar jurisdiction of justices of the peace, appointed or to be appointed by special commission under the said Act of the 3d and 4th of William the Fourth, relative to the several offences, duties, matters and things hereinafter mentioned, expressed and enacted:

1. Be it therefore enacted, by his Excellency Major-General Sir Lionel Smith, knight, commander of the most honourable military Order of the Bath, Governor-General in and over the Islands of Barbadoes, Grenada, Saint Vincent and Tobago, and their several dependencies, the members of His Majesty's Council and the representatives of the people of the said Island of Grenada and its dependencies, that from and after the 1st day of August 1834, for the purposes of this Act, this Colony shall be divided into six districts, and that within each district there shall be established a police, consisting of one special justice, one serjeant and ten privates, to be at the disposal of such special justice and under his orders; and the limits of such districts shall be settled and fixed by a proclamation or proclamations to be issued from time to time by the Governor; and that for the purposes of this Act such districts shall be under the judicial charge and especial jurisdiction of the respective special justices, to be from time to time appointed thereto.

2. And be it enacted, that the common gaol or cage of every parish, or united parishes of each district, shall be divided into such apartments or in such manner as that the male and female prisoners therein shall be kept apart; and in each cage or gaol there shall be established and fixed such stocks for the male prisoners, and such stocks for the female prisoners, and such cells for solitary confinement, and such machinery for labour as may be approved by the Governor.

3. And be it enacted, that in each district there shall be established and formed a culprit's gang, to be composed of all such apprenticed labourers as shall be by the special justice of the district condemned to imprisonment with hard labour.

4. And be it enacted, that when any apprenticed labourers shall be by the special justice of any district condemned to imprisonment with hard labour, it shall be either on the tread-mill, or under some mark of disgrace on the plantation to which such apprentice or apprentices may be attached, or in cleaning, widening, mending and repairing effectually the public streets, roads and highways within the district in which such culprit or culprits shall be condemned to labour, at the discretion of the special justice of such district.

5. And be it enacted, that the special justice of each district shall upon the application of any proprietor, agent, manager or other person having charge of any estate whereon there may be ten labourers employed, or on the application of any apprenticed labourer or labourers, repair to any such plantation, and shall investigate any complaint that may be then and there made to him, and shall decide and adjudge thereon according to law, or shall appoint some other time to investigate and decide such matter on such plantation.

6. And be it enacted, that the special justice of each district shall keep a journal and a duplicate journal of all the cases that shall be brought before him, either at his place of residence or at any plantation or estate, in which journals he shall first enter the date when the complaint was lodged with him; secondly, the name of the complainant and the name of the defendant; thirdly, the substance of the complaint; fourthly, the names of the witnesses adduced on both sides or on either side; fifthly, the substance of the evidence; sixthly, the special justice's decision upon the case; seventhly, whether and when the decision has been carried into effect; and eighthly, any remarks which he may think proper to insert therein.

7. And be it enacted, that the journal of each district shall be kept in one and the same uniform manner, to be prescribed by the Governor; for which purpose the Governor is hereby authorized to alter or vary the form in and by the last preceding clause of this Act defined, and to substitute such other form or plan as to him shall seem more advisable.

8. And be it enacted, that at the end of each quarter of a year the special justice of each district shall transmit to the Governor the duplicate journal for the then preceding quarter, with an affidavit thereto annexed, and which affidavit shall be to the effect that the journal has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the complaints, cases and proceedings which have been had and taken by and before him during the quarter to which it refers, and that the duplicate journal is a complete, accurate and perfect transcript of the original in his keeping.

9. And be it enacted, that until the Governor shall have actually received such duplicate journal so verified as aforesaid, the special justice, whose duty it shall be to transmit to him such duplicate journal so verified as aforesaid, shall not be entitled to receive or to draw any order for, and the Governor shall not be at liberty to pay or to issue any order for the payment of the salary of the said special justice, for the period of that quarter of which his duplicate journal shall not be so transmitted as aforesaid.

10. And be it enacted, that upon entering any such complaint in his journal, to the truth of which such oath shall have been made by the complainant, the special justice shall either issue his warrant for the arrest of the party charged or shall issue a summons for his attendance as the case may require, and as in the next succeeding section of this Act is specified; and every such warrant of arrest shall be in the form or to the effect hereunto annexed, marked (A.), and every such summons shall be in the form or to the effect hereunto annexed marked (B.)

11. And be it enacted, that the warrant of arrest shall or may be issued in all cases which impute a felony to the party charged, and in all cases where there is reason or suspicion to apprehend that the party charged will endeavour to escape, and also in all cases where there is reason to apprehend danger to the public peace from delay; in all other cases the special justice shall proceed in the first instance by summons to the party charged.

12. And

12. And be it enacted, that in all cases where the special justice shall proceed in the first instance by warrant of arrest, if there be not sufficient time after such arrest to investigate the cause of complaint upon the same day of such arrest, the special justice shall and may adjourn or postpone such investigation unto some other day, to be by him for that purpose fixed; and if he see fit may require bail of and from the party charged, to appear on such other day to answer the complaint; and in all offences bailable under this Act, if the party arrested cannot find bail for his appearance on the day assigned to answer the complaint, he shall be committed to safe keeping by the special justice under whose warrant he was arrested, and the hearing of the complaint and answer shall not be postponed beyond 24 hours after such commitment.

13. And be it enacted, that in all cases where the special justice shall proceed in the first instance by summons to the party charged, such summons shall and may be served either upon the party in person or by leaving the same at the usual residence or place of abode of such party, charged at least 48 hours before the time in and by such summons required for his attendance: provided always, that if the person or persons to be summoned shall be an apprentice or apprentices, the service of such summons shall be upon the person or persons in whose immediate employ such apprentice or apprentices shall be; and such employer shall produce or cause to be produced the apprentice so summoned, pursuant to such summons.

14. And be it enacted, that in all cases where it may be necessary or advisable to adduce witnesses in support of, or in answer to any such complaint, the special justice shall issue his summons to every such witness in the form or to the effect hereunto annexed, marked (C.)

15. And be it enacted, that at the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the special justice shall in the presence of all parties, first read aloud to the party charged the written complaint, and then take down in writing the plea or answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses in support of and in answer to such complaint, and shall take down in writing the depositions, and which depositions, when taken down in writing, shall be read over to and shall be signed by the deponent.

16. And be it enacted, that the special justice before whom any such complaint shall be investigated, may from time to time, as occasion shall require, adjourn any such inquiry to some other day, or to some other time of the same day; and shall enter in his journal every such adjournment, and the cause thereof, and may, if necessary, commit the party charged in all cases which impute a felony to the party charged, and in all cases where there is reason or suspicion to apprehend that the party charged will endeavour to escape, and in all cases where there is reason to apprehend danger to the public peace from delay; in all other cases the special justice shall, if necessary, take bail for the appearance of the party charged; and every such commitment shall be in the form or to the effect hereunto annexed, marked (D.); and every such recognizance of bail shall be in the form or to the effect hereunto annexed, marked (E.)

17. And be it enacted, that when the proceedings upon any complaint shall be closed, the special justice shall pronounce his decision thereupon, and shall reduce the same to writing, and subscribe it with his hand, and all such proceedings shall be entered in his journal forthwith, after such decision shall have been pronounced.

18. And be it enacted, that the special justice before whom such proceedings shall be taken shall, within 10 days after demand, and upon payment of a fee of 2*s.* currency, per folio of 90 words, deliver a true copy of his said proceedings, and of his decision thereon, to either or both of the parties demanding it, under a penalty of 50*l.* currency for neglecting or refusing so to do.

19. And be it enacted, that it shall be lawful for such special justice, by any decision to be by him made upon any such complaint, and as the justice or reason of the case may require, either to dismiss the complaint, or if not for a felony, to sanction any compromise between the parties which he may think fair or equitable, or to convict the party charged, or according to the nature of the offence, to commit the party charged to prison to take his trial for the imputed offence, or to take bail for his appearance to answer to a bill of indictment or information for the imputed offence; such commitment or bail to be regulated in the same manner and under such circumstances as are in and by the 16th section of this Act hereinbefore mentioned and specified.

20. And be it enacted, that if any such complaint be dismissed, the special justice shall, in such his written decision entered in his journal, state whether such dismissal was in consequence of the complaint not being sufficiently or satisfactorily proved, or frivolous, vexatious, malicious or negatived.

21. And be it enacted, that if any such complaint shall be so dismissed as frivolous, vexatious, malicious or negatived, the special justice may adjudge the complainant, if an apprenticed labourer, to work in the service of his employer for any time not exceeding in the whole 15 extra hours in any one week, or if the complainant be the employer, the special justice may adjudge such employer to the payment of a penalty, for the use of the apprenticed labourer charged, of not less than 10*s.*, nor more than 50*s.*, currency.

22. And be it enacted, that if any such complaint shall be so dismissed as being malicious, the said special justice may, at the instance of the party charged, adjudge the complainant, if an

apprenticed labourer, to whipping, not exceeding 30 stripes, or imprisonment with hard labour, for any time not exceeding one month; or if the complainant be the employer of any such apprenticed labourer, to a fine not exceeding 4*l.* currency, for the benefit of the party charged.

23. And be it enacted, that if the special justice shall, by such his decision, convict the party charged, or shall convict the complainant of having preferred a frivolous and vexatious, or a malicious complaint, such conviction shall be severally drawn up and entered in the journal, according to some or one of the forms, or to the effect hereunto annexed, marked (F.) (G.) (H.)

24. And be it enacted, that if the special justice shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form, or to the effect hereunto annexed, marked (I.)

25. And be it enacted, that upon any conviction of the party charged, the special justice shall forthwith issue his warrant, under his hand and seal, for the execution of his decision or judgment, except where fines are imposed and payment tendered, which warrant shall be in the form or to the effect hereunto annexed, marked (K.)

26. And be it enacted, that all summonses, warrants, commitments and other orders, so to be issued by any special justice as aforesaid, shall be directed to and executed by the police officers of his district: provided, nevertheless, that it shall be lawful for such special justice, as occasion may require, to direct any such summons, warrant, commitment, or other order, to any other peace officer or peace officers of the Colony, either jointly with or instead of such his officers of police, as to him may seem requisite; and such other peace officer or officers are hereby required to execute the same.

27. And be it enacted, that any summons, warrant or order, issued by such special justice within his own district, may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

28. And be it enacted, that if any person summoned by the special justice as a witness, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such special justice, in relation to the matters pending before him, it shall be lawful for such special justice to issue his warrant for the arrest of any such defaulter, and to commit him to close custody, there to remain until he submit to be sworn and examined, and to make such answers as aforesaid; and every such warrant of arrest or commitment shall be in the form or to the effect hereunto annexed, marked (L.) (M.): provided, however, that during the examination of a witness he shall not be compelled to answer any question which may criminate himself.

29. And be it enacted, that if any suit or action be commenced against any special justice in respect of any act, matter or thing by him done by virtue and in pursuance of this Act, he may plead the general issue, and give this Act and the special matter in evidence in any trial to be had thereupon, and if the plaintiff be nonsuited, or discontinue his action, without the consent of the defendant, or a verdict be found against the plaintiff, such plaintiff shall pay treble costs of suit.

30. And be it enacted, that if in any such action or suit against any special justice, he shall at any time before trial of such action or suit, tender to the plaintiff sufficient amends for the wrong or injury, in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred, and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit, that such amends have been so tendered, and were sufficient, the court shall award that judgment be given for the plaintiff in the amount of the sum so tendered, subject, nevertheless, to the reduction therefrom of the costs of suit of the defendant.

31. And be it enacted, that no suit or action shall be brought against any special justice in respect of any matter or thing by him done, under or in pursuance of this Act, unless the same shall be commenced within six calendar months after the cause of action accrued, nor unless one month's notice previous to the entry of such suit or action shall be duly served on such special justice.

32. And be it enacted, that no suit or action shall be brought against any policeman, constable, peace-officer or other officer, or against any person or persons acting by, under the order, or in the aid of such policeman, constable, peace-officer or other officer, for any thing done in obedience to any warrant under the hand or seal of any special justice, until demand hath been made or left at the usual place of the abode of such policeman, constable, peace-officer or other officer, by the party or parties intending to bring such action, or by his attorney or agent, in writing, signed by the party demanding the same, of the perusal and copy of such warrant, and that the same hath been refused or neglected, for the space of six days after such demand; and in case after such demand, and compliance therewith, any action shall be brought against any such policeman, constable, peace-officer or other officer, or against any person or persons acting by their or either of their order, and in their or either of their aid as aforesaid, without making the special justice who signed or sealed the said warrant, a defendant to such suit or action, that on producing and proving such warrant at the trial of such action, the jury shall give their verdict for the defendant, notwithstanding any defect of jurisdiction in such special justice.

33. And

33. And be it enacted, that if such action be brought jointly against such special justice, and also against such policeman, constable, peace-officer or other officer, or against any person or persons acting by his order and in his aid as aforesaid, then on proof of such warrant, the jury shall find for such policeman, constable, peace-officer or other officer, or for such person or persons acting by his order and in his aid, notwithstanding such defect of jurisdiction as aforesaid; and if the verdict shall be given against the special justice, in such case the plaintiff or plaintiffs shall recover his her or their costs against him, to be taxed in such manner by the proper officer so as to include such costs as the plaintiff or plaintiffs are liable to pay to the defendant or defendants for whom such verdict shall be found.

34. And whereas it is necessary to distinguish in reference to each person about to become an apprenticed labourer, to which of the three classes of apprenticed labourers hereinbefore mentioned he or she belongs: And whereas by virtue of or under an Act of the Legislature of this Colony, intituled, "An Act for establishing a Registry of Negro and other Slaves, in the Island of Grenada and its Dependencies," and dated the 27th day of March 1833, a general registry of the slaves within this Colony is directed to take place between the 1st day of January and the 30th day of April 1834, when all and every person and persons resident in this Colony, then being in lawful possession of any slave or slaves within the same, whether as proprietor, mortgagee, trustee, sequestrator, receiver, lessee, attorney, agent, executor, administrator, guardian, committee, or in any other right or character, and whatever his her or their title or interest in any such slave or slaves may be, shall respectively make and deliver, or cause to be made and delivered, unto the registrar of slaves thereunder appointed, a schedule or return of all slaves by him her or them possessed, on the 31st day of December then immediately preceding, with a list of particulars, according to the form thereunto annexed, marked (A.), together with a duplicate thereof; and one of the said returns shall be numbered by the registrar, according to the order of progression in which such said returns shall have been given in, and the same shall be deposited in his office to be registered and recorded in the books thereof, and the duplicate of each and every such return and list as aforesaid shall be in like manner correspondently numbered, and being previously certified and signed by the registrar, shall be delivered back to the person or persons making the said return or returns: And whereas it will be necessary to ascertain what increase and decrease may take place among the slaves in each said schedule between the said 31st day of December last preceding the making of such return, and the 1st day of August 1834, when slavery is to cease; Be it therefore enacted, that between the 1st day of August 1834, and the 30th day of September in the same year, every person to whom the registrar shall have so delivered back the duplicate of each and every such return and list as aforesaid, shall fairly and correctly transcribe such return, only omitting the names and particulars of such of the persons therein named as shall since the original return was given in as aforesaid be then dead, manumitted or transferred, and shall affix to the entry of the name of each prædial attached apprenticed labourer in such transcript the letters P. A., and to the entry of the name of each prædial unattached apprenticed labourer in such transcript the letters P. U., and to the entry of the name of each non-prædial apprenticed labourer in such transcript the letters N. P.; provided that no apprenticed labourer above the age of twelve years shall be included in the class of prædial apprenticed labourers in such transcript, unless during the space of twelve calendar months before the date of the said statute of the 3d and 4th of William the Fourth, he or she had been habitually employed in agriculture, or in the manufacture of colonial produce or otherwise, upon lands belonging to his or her employer, being a prædial attached apprenticed labourer as aforesaid, or had been habitually employed in agriculture or in the manufacture of colonial produce or otherwise upon lands not belonging to his or her employer, being a prædial unattached apprenticed labourer as aforesaid.

35. And be it enacted, that between the said 1st day of August and the said 30th day of September 1834, every such transcript, with such letters as aforesaid affixed to the entry of the names therein, of each person who shall have then become an apprenticed labourer shall be delivered by the person possessing the same to the registrar, together with a list of the names of the increase and decrease which shall have taken place of or among such respective persons between the 31st day of December preceding such original return as aforesaid and the said 1st day of August 1834.

36. And be it enacted, that to every such transcript, with such distinguishing letters as aforesaid affixed to the entry of the names of each apprenticed labourer therein, there shall be annexed at the time of the delivery thereof to the registrar as aforesaid an affidavit by the person delivering the same, to the effect that the distinctions therein made comprise only such persons who in their state of slavery had been habitually employed during twelve calendar months next preceding the date of the said statute of the 3d and 4th of William the Fourth, in agriculture or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners or other persons, according as such prædial apprenticed labourers shall be attached or not attached to the soil.

37. And be it enacted, that if in any case the registrar shall see cause to doubt the accuracy of the transcript delivered to him, he is hereby authorized and required to appoint by notice a time and place at which the person so delivering to the registrar such transcript shall attend him, to substantiate the accuracy of such transcript so delivered.

38. And be it enacted, that at the time and place so to be appointed, the person to whom such notice of appointment shall be addressed or given, is hereby required to attend the registrar, and if required shall bring with him any apprenticed labourer respecting whom any

any such doubt may have arisen, together with any other apprenticed labourer in his employ or under his charge; and the said registrar shall then proceed to examine the person delivering such transcript and the apprenticed labourer respecting whom such doubt shall have arisen, and any witnesses that may be adduced respecting the truth of such transcript; and the said registrar is also empowered, if necessary, to adjourn such examination from time to time as he may see fit.

39. And be it enacted, that the said registrar shall, after such examination, either confirm or correct any such transcript delivered to him as aforesaid, according to the evidences adduced and as he may see fit, and shall thereupon certify and give notice to the party delivering such transcript and to the apprenticed labourer respecting whom such doubt shall have arisen respectively of the decision to which he shall have come in the premises.

40. And be it enacted, that if either the party so delivering to the registrar such transcript as aforesaid, or the apprenticed labourer respecting whom such doubt shall have arisen, be dissatisfied with the decision to which the registrar shall have come in the premises, such party so delivering such transcript may on his own behalf, or the apprenticed labourer respecting whom such doubt shall have arisen, or the registrar on his or her behalf, may apply to the chief justice or to any other justice of the Supreme Court of Judicature within this Colony by petition, setting forth the nature of such decision and the objections thereto, and praying for an appeal and reversal by such judge of such decision.

41. And be it enacted, that the judge to whom any such petition may be preferred shall, without unnecessary delay, proceed in a summary way to hear and decide upon the matter thereof, and the decision of such judge in the premises, whether in confirmation or reversal of the decision of the said registrar, shall be final and conclusive upon the parties.

42. And be it enacted, that it shall be in the power of the Supreme Court of Judicature to make and establish general rules of practice and proceeding upon and for regulating the proceedings of every such petition, in the manner that may be least expensive and most conducive to method, punctuality and dispatch.

43. And be it enacted, that when there shall not be any doubt, or when such proceedings respecting any doubt as aforesaid shall have taken place and shall be determined, the registrar shall forthwith proceed to registrar such apprenticed labourers in books for that purpose, and according to the same form as he has hitherto kept books for the registration or return of slaves, and shall affix to the entry of the name of each prædial attached apprenticed labourer in such book the letters P. A., and of each prædial unattached apprenticed labourer the letters P. U., and of each non-prædial apprenticed labourer the letters N. P.; and shall thereupon lodge every such book of registry or returns with the colonial secretary.

44. And be it enacted, that the said books of registry or return of apprenticed labourers, when so corrected and lodged with the colonial secretary, shall be deposited among the public records; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected books of registry or returns, or a certified extract therefrom, shall be taken as binding and conclusive evidence upon such question.

45. And be it enacted, that if any person who ought to deliver to the registrar any such transcript as aforesaid, shall neglect, omit or refuse to do so, or to make the affidavit hereinbefore required to be made, or to attend the registrar when required and summoned by him for that purpose, he shall incur a penalty of not more than 25*l.* of current money of the Colony, nor less than 50*s.* of like money; and in the event of the wilful absence of such person it shall be lawful for the registrar to proceed and decide any such question as though such person had attended.

46. And be it enacted, that upon from and after the said 1st day of August 1834, the person who on the 31st day of July in the same year shall be the registrar of slaves within this Colony shall at the same rate of salary and fees as in the said Act for establishing a registry of negro and other slaves in the Island of Grenada and its dependencies are provided, continue to hold the office of registrar for the purposes of receiving such transcripts as aforesaid, and of entering the same into such books as aforesaid, and for other the purposes hereinbefore required, until the 31st day of January 1835.

47. And be it enacted by the authority aforesaid, that every employer of apprenticed labourers shall provide for and allow to every family of such apprenticed labourers employed by him, consisting of not less than four persons, a good and comfortable house, with one or more cabannes or beds, raised at least one foot from the ground; and shall provide and give to each and every such apprenticed labourer an annual allowance of six yards of cloth or pennistoun, eight yards of oznaburgh, or other linen of equal strength and value, one hat or cap, with needles and thread, and a triennial allowance of one blanket, a weekly allowance of two pounds of salted, dried or pickled fish, or such other provisions as may be equivalent thereto, and one quarter of a pint of salt; and shall provide and give to each and every apprenticed labourer, not supported by the cultivation of his or her provision grounds, a weekly allowance of eight pints of flour or six quarts of meal, grain, pulse or other articles of food equally nutritious, in addition to the weekly allowance of salted fish and salt hereinbefore provided for such apprenticed labourers; and that it shall be lawful for any employer to substitute money for the foregoing allowances of food, or any part thereof,

thereof, at the marketable value of such allowances of food at the time of such substitution: provided always, that nothing herein contained shall prevent any employer from regulating the distribution of the foregoing allowances of clothing and food according to the ages of the respective apprenticed labourers, provided the aggregate amount of such allowances shall not be less in quantity than the rate hereinbefore prescribed; and every employer of apprenticed labourers neglecting or refusing to provide, furnish and give the allowances of food and clothing hereinbefore immediately specified, upon conviction thereof before any special justice of the peace, shall forfeit and pay the sum of 5*l.*, over and above the value of any such allowances of food and clothing omitted to be provided, furnished and given as aforesaid.

48. And whereas it is necessary that a certain portion of time shall be allowed such labourers for the purpose of cultivating their provision grounds, to be deducted from the 45 hours per week which they are required to labour for their employers; Be it therefore enacted, that in each and every year there shall be allowed to every labourer fourteen full working days for the purpose of cultivating their provision grounds, over and above the time allotted them by the 51st clause of this Act, and not including Christmas-day and New Year's-day, which shall be considered holidays.

49. And whereas it is necessary that in cases where such apprenticed labourers are supported wholly or in part by the cultivation of their provision grounds, that a certain quantity of land should be allotted them for that purpose: And whereas the most fertile land and that which is best adapted for the growth of provisions, is, in some cases, a considerable distance from their place of abode, but to deprive them of such lands and compel them to work exhausted soils or lands of inferior description, but nearer to their place of abode, would cause great dissatisfaction and loss to such apprenticed labourers; Be it therefore enacted, that nothing herein contained shall tend to disturb such apprenticed labourers in the enjoyment of mountain provision grounds during the continuance of their apprenticeship, or compel any employer to procure other grounds in lieu thereof; and if any such employer shall refuse or neglect to allot to his apprenticed labourer sufficient land adapted for the growth of provisions, and at and after the rate of one quarter of an acre for each and every labourer, he shall, on conviction before the special justice, incur and be liable to a fine of not less than 10*l.* nor more than 50*l.* for every neglect or refusal so to do.

50. And be it enacted, that if any apprenticed labourer shall, by wilful neglect or indolence, during his or her own time, suffer his or her house or provision ground to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction, in writing, of any special justice, to be obtained upon proof before him of such neglect or indolence, to put the house or provision ground of such apprenticed labourer into proper order for his or her comfort and support, and to deduct an equivalent quantity of labour from his or her own time, not exceeding fifteen hours in any one week.

51. And be it enacted, that no labourer or labourers shall be compelled to perform any agricultural or other labour for the benefit, profit or advantage of his or her employer, from the hour of six o'clock on Saturday morning, until six o'clock on Monday morning, unless sentenced so to do by any special justice or justices, mariners, watchmen, stock-keepers, domestics and attendants on the sick excepted: provided always, that such stock-keepers, domestics or attendants on the sick, shall be allowed so much time as may be equivalent to the time in which they may be so employed as aforesaid, and except also, when called upon to arrest any fire or flood, or to remedy the effect of any fire, flood, hurricane or earthquake, or the failure of any part of the machinery or boiling apparatus of a sugar plantation, or in the necessary attendance on any wash or liquor in distilleries, or accidents to stock; and in all cases of urgent necessity, it shall be lawful for the employer or any other person or persons acting under him, when such necessity shall occur, to require and compel the immediate and continued service of any or all the apprenticed labourers, during such emergency; and that the hours of agricultural labour shall be as follows; from six o'clock in the morning until half-past seven o'clock, (when half an hour shall be allowed the labourers for breakfast); from eight until twelve o'clock, (when two full hours shall be allowed for dinner), and from half-past two, (allowing half an hour for each labourer to reach his or her destined place of employment); until the hour of six in the evening; and any labourer not appearing at his or her respective duties at the hours and times hereinbefore limited for labour, or who shall unlawfully absent himself or herself from his or her employment during the hours and times of labour hereinbefore described, shall be deemed wilfully absent, and on conviction before the special justice of the district, be compelled to serve his or her employer double such time of absence, out of the time allotted to him, provided such forfeiture shall not exceed three hours in any one day, or fifteen hours in any one week.

52. And whereas at certain periods of the year it is necessary to employ apprenticed labourers about certain manufacturing processes during the night time; Be it therefore enacted, that nothing herein contained shall render the employment of labourers in the night time illegal, provided that such apprenticed labourers shall not be required or compelled to labour for more than nine hours in the whole on any one day, the day being for that purpose understood to commence from the hour of twelve at night, and to terminate at the hour of twelve the succeeding night.

53. And be it enacted, that upon any plantation or estate in these Islands, to which such apprenticed labourers shall be attached, there shall be, under a penalty of 50*l.*, a good and sufficient

sufficient hospital in a proper and healthy situation, to be approved of by the medical attendant of such estate, for the reception and cure of all sick and infirm apprenticed labourers; and the employer or other person for the time being, having the charge of such plantation and apprenticed labourers, is hereby respectively required and directed to keep a hospital book, with the names of the apprenticed labourers admitted, the dates of their admission, and also of their dismission or death, and in which book shall be inserted by the medical attendant of the said plantation, the nature of their complaints or diseases, prescriptions and treatment; and such employer is hereby required to employ some person duly qualified in the practice of physic and surgery, to attend such apprenticed labourers as occasion may require; provided such medical practitioner can be procured, and shall provide such medicine, food and other necessaries as shall be deemed requisite by such medical practitioner, and as heretofore been customary, under a penalty, not exceeding 5*l.* for every neglect or refusal so to do.

54. And be it enacted, that it shall not be lawful for any apprentice, whose name shall appear in the book aforesaid, to leave the hospital without the permission of the medical attendant or his employer; and that it shall be lawful for the employer to keep such hospital locked up.

55. And be it enacted, that for every hour in which any apprenticed labourer shall absent himself or herself from his or her employer's service without legal cause, such apprenticed labourer being thereof convicted before the special justice of the district, shall be compelled to serve his or her employer two extra hours, provided that such extra hours shall not exceed fifteen in the whole in any one week; and any apprenticed labourer absenting himself or herself without legal cause, from his or her employer's service for more than nine hours in any one week, and being thereof convicted before the special justice of the district, shall be adjudged a deserter; and any apprenticed labourer absenting himself or herself without lawful cause, from his or her employer's service for two days during one week, whether the said two days of such labourer's absence shall be successive days of the week or not, and being thereof convicted before the special justice of the district, shall be adjudged a vagabond; and any apprenticed labourer absenting himself or herself without legal cause from his or her employer's service for five days in any one week, and being thereof convicted before the special justice of the district, shall be adjudged a runaway.

56. And be it enacted, that any apprenticed labourers, who may be adjudged deserters, shall by the said special justice of the district, be confined to hard labour for any time not exceeding one week; that any apprenticed labourers who may be adjudged vagabonds, shall by the said special justice be confined to hard labour for any time not exceeding two weeks, and to any number of stripes, not exceeding fifteen; that any apprenticed labourers who may be adjudged runaways, shall by the said special justice be confined to hard labour for any time not exceeding one month, and to any number of stripes, not exceeding thirty; and any apprenticed labourer absenting himself or herself seven days or upwards from his or her employer's service without a legal cause, shall on conviction thereof before the special justice of the district, be adjudged a notorious runaway, and shall suffer three months' imprisonment and hard labour, and if a male, whipping, not exceeding thirty-nine stripes.

57. And be it enacted, that any apprenticed labourer convicted of performing his or her work indolently, carelessly or negligently, shall, for the first offence, be adjudged by the said special justice of the district, to labour in his or her employer's service for any time not exceeding fifteen hours in the whole in any one week; for the second offence, to solitary confinement, with or without hard labour, for any time not exceeding one week; and for the third, or any other subsequent offence, to solitary confinement, with or without hard labour, for any time not exceeding one fortnight, with whipping, not exceeding twenty stripes.

58. And be it enacted, that any apprenticed labourer who, by the careless use of fire, shall endanger the property of his or her employer, or that of any other person, or who shall wantonly injure the property of his or her employer, or who shall neglect or ill-use the cattle or other live stock of his or her employer, or that of any other person, or who shall by wilful negligence expose the property of his or her employer, or of any other person, to any damage or injury, shall, for every such offence hereinbefore specified, be adjudged, in the discretion of the special justice of the district, either to extra labour in his or her employer's service, for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes, not exceeding thirty, or to any two or more of such punishments: provided always, that this enactment shall not exempt any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or committed, although no such apprenticed labourer shall be liable to be punished under this Act, and prosecuted for the same offence at law.

59. And be it enacted, that any apprenticed labourer who shall disobey the lawful commands of his or her employer, shall be liable upon conviction thereof before the special justice of the district, to any one or more of the punishments last aforesaid.

60. And be it further enacted, that any three or more apprenticed labourers who shall agree or combine together to make any resistance to the lawful commands of their employer or employers, shall, upon conviction thereof before the special justice of the district, be deemed guilty

guilty of an unlawful conspiracy, and shall be adjudged by such special justice to solitary confinement, with or without hard labour, for any period, not exceeding six months, with whipping, not exceeding thirty-nine stripes.

61. And be it enacted, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself or herself in an insolent and insubordinate manner towards his or her employer, or any person in the immediate superintendence of his or her labour, shall for every such offence be liable, on conviction before the special justice of the district, to imprisonment with hard labour for any time not exceeding one week, or to whipping, not exceeding fifteen stripes: provided always, that no female apprenticed labourer shall be subject to be punished by whipping for any offence by her committed, but that in all the cases aforesaid, in which that punishment is authorized, it shall be understood as applying to the cases of male apprenticed labourers only; and that all the offences in respect of which such punishment may be inflicted on any such male apprenticed labourer offending as aforesaid, shall, when committed by female apprenticed labourers, be punished by hard labour or by confinement in the public stocks, and by distinguishing marks or dresses, or by solitary confinement; the stocks to be employed for such purpose of punishing by confinement therein of the female apprenticed labourers, shall be according to one general model, to be sanctioned by the Governor; and no female apprenticed labourer shall, for any offecnce by her committed, be confined in such public stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day: provided also, that nothing herein contained shall prevent any special justice from sentencing any apprenticed labourer to solitary confinement on the estate to which he is attached or may be working, if he should so deem fit.

62. And be it enacted, that if any apprenticed labourer appointed by his employer or any other person acting under his orders, to watch by night, shall neglect or refuse to proceed to, and to continue in the punctual performance of that duty, according to the orders and directions given him, every such apprenticed labourer so offending, who shall not prove to the satisfaction of the special justice that he was prevented by sickness or other unavoidable cause, from the performance of such duty, shall, on conviction before such special justice, be adjudged to the same punishment as is herein provided for the punishment of indolence.

63. And whereas a practice hath prevailed, of gangs of labourers leaving the estates to which they are attached for the purpose of preferring complaints, and such practice hath a tendency to disturb the peace of the Colony, and affords an evil example to peaceable and well-disposed labourers; Be it therefore enacted by the authority aforesaid, that it shall not be lawful for any gang of apprenticed labourers to leave the estate to which they are attached, for the purpose of preferring complaints to any person or persons whatsoever, but in all cases where such gang may feel themselves aggrieved, they shall select one or more of their number, not exceeding three, and such person or persons so selected shall apply to his her or their employer for a pass, but in case of refusal, may proceed without molestation or hindrance, to the special justice of the district, and no other person, for the purpose of laying before him any complaint, or making to him any application respecting any matter or thing cognizable by such special justice; and any person or persons who shall by force, menace or intimidation, or any other unlawful means, prevent any apprenticed labourer or apprenticed labourers so selected, from resorting to such special justice for any such purpose as aforesaid, or from returning to his or her place of abode, after having so resorted to any such special justice, shall be deemed and considered guilty of a misdemeanor, and for such misdemeanor shall forfeit the sum of 5*l.*; provided such apprenticed labourer or apprenticed labourers, so selected as aforesaid, shall resort to and return from such special justice with due diligence, and without any unnecessary loss of time; and such special justice on such complaint or application shall make diligent inquiry into the premises, and afford redress on the grievance being proved according to the exigency of the case, and in strict conformity with the provisions of this Act: but if it shall appear to such special justice that such complaint or application is without foundation, such special justice shall adjudge the complainant or complainants, or any other apprenticed labourer or apprenticed labourers that may have been the ringleaders or instigators of such groundless complaints, to work in the service of his her or their employer for any time not exceeding in the whole fifteen extra hours in any one week, or if it shall appear to such special justice that the alleged complaint is frivolous, vexatious or malicious, he shall adjudge such complainants to the same punishment as is hereinbefore awarded to the same for frivolous, vexatious or malicious complaints.

64. And be it enacted, that it shall and may be lawful for the person administering the government of this Colony for the time being, and he is hereby authorized and required by and with the consent of his council, on or before the 1st day of January, in each and every year, to nominate and appoint three experienced and intelligent persons in each district, as inspectors, for the purpose of ascertaining and computing the amount of work to be performed by each labourer or labourers on any plantation or estate; and such inspectors shall, within ten days after they have received notice of such appointment, make oath before the special justice of the district, to the faithful discharge of their duties as inspectors; and in cases where any dispute may arise between the employer and any labourer or labourers as to the quantity of work allotted to or performed by such labourer or labourers, it shall and may be lawful for such inspectors, on the application or complaint of either party, to proceed to the estate on which such complaint is made, and examine the work allotted to or performed by such labourer or labourers; and, if after such examination, it shall appear to such inspectors, or a majority of them, that the work allotted to or performed by such labourer or

labourers is more than he she or they ought to be compelled in future to perform, it shall be the duty of such inspectors to reduce such allotted work to a reasonable and moderate quantity, as in their experience and judgment they may see fit; but if it shall appear to such inspectors, or a majority of them, that the work allotted to or performed by such labourer or labourers is moderate and reasonable, and no more than the said labourer or labourers ought and might or should be compelled to perform, the said inspectors, or a majority of them, are hereby authorized and required to grant a certificate thereof to the employer of such labourer or labourers, who may produce the same to the special justice of the district, together with the name or names of any labourer or labourers who hath or have refused, or may continue to refuse to perform such work so allotted to them, and adjudged by the said inspectors to be reasonable and moderate; and such special justice is hereby authorized and required to adjudge such punishment to such refractory labourers as is hereinbefore provided for the punishment of indolence.

65. And whereas it is necessary for the maintenance of good order and discipline amongst the apprenticed labourers, and for the temporary security of offenders, that a limited authority should be vested in the employers; Be it therefore enacted, that if any apprenticed labourer shall be guilty, or suspected of being guilty of any offence set forth in this Act, or of any other offence that would subject such offender to trial in the Supreme Court of Judicature, for felony or misdemeanor, under the laws in force in this Colony, it shall and may be lawful for such employer to secure, or cause to be secured, such offender, in some wholesome place of confinement, on the plantation to which such offender shall be attached, for a period not exceeding twenty-four hours, or until such offender can be brought before any special justice, or other competent authority.

66. And be it enacted, that if any person or persons shall wrongfully, maliciously, or without sufficient cause, confine any apprenticed labourer or apprenticed labourers as aforesaid, such person or persons being convicted thereof before any special justice, shall incur and be liable to a fine of not less than ten nor more than twenty shillings, which fine shall be paid to the party aggrieved.

67. And be it enacted, that all the offences cognizable by the special justice under this Act, shall be inquired of by the magistrates having special commissions, and not by any other justice of the peace: provided always, that any such special justice may, if he shall see occasion, refer any such case for trial to the Supreme Court of Judicature of this Island.

68. And be it enacted, that if the employer of any prædial apprenticed labourer shall by force or fraud protract the weekly services of such apprenticed labourer beyond the period by this Act allowed for that purpose, such employer so offending, upon conviction thereof before the special justice of the district, shall forfeit, for the benefit of such apprenticed labourer, the sum of one shilling in respect of every hour which such apprenticed labourer's weekly service shall have been protracted.

69. And be it enacted, that it shall be the duty of every employer of apprenticed labourers, to intimate to the apprenticed labourers in his or her employment, the commencement and the close of the legal hours of labour, for which purpose a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved of by the special justice of the district, which signal shall always be of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of any such employer as aforesaid.

70. And be it enacted, that it shall and may be lawful for any employer and apprenticed labourer mutually to contract together for work to be done either by day or by week, for such wages or consideration as they may agree upon: provided always, that such contracts or engagements shall be sanctioned by a special justice, and that no such agreement shall be for a longer period than one year, and that no task work shall be imposed upon any body of apprenticed labourers, except by consent of a majority thereof.

71. And be it enacted, that upon proof being made, to the satisfaction of the special justice of the district, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such special justice, and he is hereby authorized to award execution against such employer as aforesaid, for the amount of such consideration; and if the same shall not be paid within one week next after such award, to issue his warrant in the nature of an execution, and levy the same upon the produce, utensils and other chattels upon such plantation, which execution shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell so much of such produce, utensils or other chattels as may be found upon such plantation, and as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer, which execution shall be in the form hereto annexed, marked (N.)

72. And be it enacted, that any apprenticed labourer who shall violate the terms of any contract as aforesaid, on conviction thereof before any special justice, shall be liable to the same pains and penalties as are provided in respect of the violation by any such apprenticed labourer, of the duties to be by him or her performed in the discharge of the services owing by him or her to such his or her employer under this Act.

73. And be it enacted, that every married woman, being an apprenticed labourer, notwithstanding her coverture, and every child of the age of twelve years and upwards, notwithstanding his or her infancy, shall be competent to enter into such contracts as aforesaid.

74. And

74. And be it enacted, that if any employer of any apprenticed labourer shall whip, beat, imprison or confine in the stocks (save and except as herein provided,) or otherwise maltreat any such apprenticed labourer, or shall, by way of punishment, commit any assault upon his or her person, such employer shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding five pounds, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

75. And be it enacted, that in any such case as last aforesaid, it shall be competent to any such apprenticed labourer, instead of preferring his or her complaint to the special justice of the district in which he or she resides, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender, in default of bail, to take his trial for such offence, before any court having jurisdiction in the premises; and that if any such employer, being the person entitled to the services of such apprenticed labourer, shall be convicted before any court of competent jurisdiction, of any cruelty towards his or her apprenticed labourer, then such apprenticed labourer shall be discharged from his or her apprenticeship, by order of the court before which such conviction shall be had.

76. And be it enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace, who shall be present at the same, shall cause a flag or some other conspicuous signal to be exhibited, as a warning to all persons then present to separate and disperse quietly; and that all persons who, at the expiration of ten minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction before any justice of the peace, be liable to imprisonment for any time not exceeding twelve months, and to solitary confinement, with or without hard labour for any part of such time.

77. And be it enacted, that no prædial apprenticed labourer shall reside beyond the limits of the plantation on which he or she may be attached, on or after the 1st day of August next, unless by the authority or with the consent of his or her employer.

78. And be it enacted, that every prædial apprenticed labourer found beyond the limits of the estate to which such apprenticed labourer may be attached, excepting on his or her way to and from market, or to or from some place of public worship, or to or from the justice of the district, for the purpose of making any complaint or application, or in the work and duty of the estate, not having with him or her a written pass from his or her employer, shall be liable to be apprehended and detained by any person or persons, and shall, on conviction thereof before the special justice of the district, be adjudged a vagabond, and be punished accordingly: provided that nothing herein contained shall be deemed or construed to abridge or any way interfere with the full and free use and enjoyment by such apprentices of the time allotted to them as their own, under and by virtue of this Act.

79. And be it enacted, that if it shall be made to appear, to the satisfaction of any special justice, that any apprenticed labourers have, without lawful authority, established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by this Act, such justice shall cause any such community to be dislodged, and if necessary, shall also cause their habitations to be taken down and removed or destroyed.

80. And be it enacted, that all officers and privates of the Colonial Militia shall be aiding and carrying into effect any directions which may be issued by the Governor at the instance of any special justice, for dislodging any such community of apprenticed labourers as aforesaid, or for any other purpose under this Act that may be deemed requisite by the Governor.

81. And be it enacted, that if any apprenticed labourer, being in good health and able to work, and being the father of any child under the age of 12 years, upon the estate to which any such apprenticed labourer is attached, such child not being an apprenticed labourer, and the father of such child not making adequate provision for the subsistence of such child, it shall be lawful for any special justice to adjudge any such apprenticed labourer to labour during his own time, and to apply the earnings of such labourer towards the support and maintenance of any such child until such apprenticed labourer shall voluntarily and sufficiently provide for the subsistence of such child.

82. And be it enacted, that for effecting the purpose last aforesaid, such special justice as aforesaid may hire out the extra labour of any such father to any person who may be willing to agree for the same, or to labour on any public works or on the public roads on the best terms which can be procured; and that such compulsory labour as aforesaid shall not be continued longer than may be necessary to provide for the maintenance of the child of such apprenticed labourer for one month in advance.

83. And be it enacted, that in case any such child so unprovided for as aforesaid, shall have no father living, then the regulations aforesaid shall apply to the mother of such child if alive and competent by her labour to provide for the maintenance of such child.

84. And be it enacted, that all the penalties provided by this Act in case of indolence, neglect of work or otherwise, in respect of labour performed by the apprenticed labourers in the service of their employers, shall apply to the case of labour undertaken for the maintenance of any such child as aforesaid, by virtue of any such order as aforesaid.

85. And be it enacted, that if any apprenticed labourer shall, without lawful authority, enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for and the duty of any special justice to dispossess such labourer from such land and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not within one month after such seizure appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sale to be paid over to the public treasurer of this Island in trust for the owner of such lands and goods, and if not claimed within twelve months after the same, shall be applied to the public uses of the Colony.

86. And be it enacted, that the special justice may further adjudge any apprenticed labourer unlawfully taking possession of such lands, to imprisonment with hard labour for any time not exceeding three months, if it shall be made to appear to the satisfaction of such special justice that such possession was taken fraudulently, and with knowledge that the party had no lawful claim to such possession.

87. And be it enacted, that no apprenticed labourer shall quit the Colony without a passport from the Governor for the time being, which passport shall not be granted except with the written consent of the employer of such apprenticed labourer; and any apprenticed labourer quitting or attempting to quit the Colony without such passport shall be liable, upon conviction thereof before any special justice, to solitary confinement with or without hard labour for any term not exceeding one month.

88. And be it enacted, that all apprenticed labourers whose ordinary occupation is on the sea, shall be registered as such by their employers at the office of the special justice of the district to which they belong, who shall furnish such apprenticed labourer with a certificate of such registration.

89. And be enacted, that all persons removing or assisting to remove any apprenticed labourer from the Colony, in any boat, canoe or vessel without a passport from the Governor, shall, upon conviction thereof before any special justice, be liable to a penalty of 100 *l.*, and in default of payment to imprisonment in the common gaol of this Island for any time not exceeding six months, such fine to be paid to the person or persons entitled to the services of such apprenticed labourer so removed or intended to be removed.

90. And be it enacted, that no fee of office shall hereafter be received, demanded or payable upon, for or on account, or in respect of the discharge and release of any apprenticed labourer; and if any special justice shall hereafter demand, accept or receive any fee of office for the same respectively, the special justice so offending shall incur and become liable to the payment of a fine, amounting to not less than 1 *l.* nor more than 5 *l.* over and above the amount of the fee so by him received.

91. And be it enacted, that for the prevention of doubts as to the power of the employer of apprenticed labourers to discharge and release apprenticed labourers at their pleasure, it is further enacted, that, subject to the regulations hereinafter made, any person being the employer of any apprenticed labourer may, by his or her last will, or by deed under his or her hand or seal, at his or her pleasure, discharge and release any such apprenticed labourers from his or her apprenticeship, so far as relates to the interest of every such testator or grantor; and that every such discharge shall, as far as relates to the interest of such testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the discharge or release of such apprenticed labourer: provided nevertheless, that no employer having a partial or temporary interest in any apprenticed labourer may, to the extent of such interest, effect his or her discharge or release gratuitously, unless all other persons having a partial, future or reversionary interest in such apprenticed labourer shall consent to be parties to such discharge or release, or unless such partial, future or reversionary interest shall be purchased in the manner hereinafter provided.

92. And be it enacted, that if any person so discharged from any such apprenticeship by any such voluntary act as aforesaid, shall at that time be of the age of fifty years or upwards, or shall then be labouring under any disease or mental or bodily infirmity as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

93. And be it enacted, that if any apprenticed labourer shall be desirous of purchasing the remaining period of his or her apprenticeship, and his or her employer shall refuse to consent thereto, it shall and may be lawful for such apprenticed labourer to apply to the special justice of the district in which he resides, who, upon such application, shall nominate and appoint one disinterested and experienced person as an appraiser on the part and behalf of such apprenticed labourer, and shall give notice to the employer of such application and appointment, and the employer of such apprenticed labourer shall, within 10 days after receiving such notice as aforesaid, nominate and appoint one other person as an appraiser on his own part and behalf; the appraisers thus respectively nominated and appointed shall make oath before the special justice of the district faithfully to discharge the duties of their office, and shall, without any unnecessary delay, fairly and impartially estimate the value of the services of such apprenticed labourer for the remaining period of his apprenticeship; and

for

for this purpose the said special justice shall summon the parties interested to attend the said appraisers at any time or place within his district mentioned in such summons; and the said appraisers having agreed on the sum as the value of the remaining services of such apprenticed labourer, shall grant a certificate thereof to the party applying for the same, and which sum being tendered or paid into the hands of the employer by the apprenticed labourer, or any person on his behalf, shall be taken and considered as a full discharge and release of such apprenticed labourer from his apprenticeship as aforesaid, and from any future bondage or service to his said employer.

94. And be it enacted, that if any difference shall arise between the appraisers so nominated and appointed as aforesaid, as to the value of the services of the apprenticed labourer so applying for his release from apprenticeship, it shall and may be lawful for the said appraisers to nominate and appoint an umpire, and such umpire shall make oath before the special justice faithfully to discharge his duty as umpire, and shall, within 10 days therefrom, give his decision in writing, subscribed by his name, to the party applying for the same, and which decision, when so given, shall be final and conclusive, and the sum mentioned therein shall be considered the value of the services of the apprenticed labourer for his unexpired term of apprenticeship, and when paid to his employer shall be a full discharge of such apprenticed labourer from his apprenticeship as aforesaid.

95. And be it enacted, that it shall be the duty of the special justice to whom any apprenticed labourer may apply for his discharge and release from apprenticeship, before any consideration is tendered or paid for such discharge and release, to inquire and ascertain that the employer of such apprenticed labourer is the person duly authorized by law to grant such discharge and release as aforesaid.

96. And be it enacted, that when there shall be any disputed title or adverse claim to the money to arise from the discharge of any apprenticed labourer, by virtue of the proceedings before mentioned, the same shall be paid into the hands of the public treasurer of the said Island by the special justice, to be invested in the purchase, in his name, of any public funds or securities of the United Kingdom of Great Britain and Ireland, and the interest accruing on such money in the public funds so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were the employer and beneficially interested in the services of such discharged apprenticed labourer, and shall be subject and liable to all such and the same trusts, uses, limitations, conditions, mortgages, claims and demands, of what nature or kind soever, as such apprenticed labourer was held upon.

97. And be it enacted, that when, with the consent of any two or more special justices, any person entitled to the services of any prædial apprenticed labourer attached to the soil shall be desirous of transferring or removing his or her services to any other estate or plantation within this Colony, to such person belonging, under the permission mentioned and contained in that behalf in the 9th section of the said Act of the 3d and 4th of William the Fourth, it shall be lawful for any two or more special justices, and they are hereby required, to give the employer or employers of such prædial attached apprenticed labourers their consent in writing to any such transfer or removal; provided that such transfer or removal will not have the effect of separating any such prædial attached apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer or removal will not probably be injurious to the health or welfare of any such prædial attached apprenticed labourer; and such written consent to any such transfer or removal shall be expressed in the terms or to the effect following, that is to say:—

"*Memorandum:*—That we (the special justices) two of His Majesty's justices of the peace, duly constituted for the special purpose of giving effect to an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His Majesty King William the Fourth, for the Abolition of Slavery throughout the British Dominions, and for other purposes therein mentioned, having received notice that A. B., who is entitled to the services of certain prædial apprenticed labourers attached to his estate or plantation called ————————, within this Colony, and whose names are mentioned or contained in the schedule hereunder written, or hereunto annexed, is desirous of transferring or removing such apprenticed labourers and their services to another estate or plantation called ————————, also to the said A. B. belonging, or in his possession, within this Colony; and we the said justices, having ascertained that such transfer or removal will not have the effect of separating any such prædial apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, and that such transfer or removal will not probably be injurious to the health or welfare of any such prædial apprenticed labourer so attached as aforesaid, do hereby consent, license and permit that the said A. B. do and may transfer and remove all and every the prædial apprenticed labourers attached to his said estate or plantation called ————————, within this Colony, and whose names are mentioned in the schedule hereunto annexed, or hereunder written, from and off the said estate or plantation called ———————— to the plantation or estate called ————————, also to him belonging, or in his possession, within this Colony, and at and upon such last-mentioned estate or plantation to work the said prædial apprenticed labourers and their labour and services to have and enjoy thereat and thereupon, as fully, beneficially and amply as if such prædial apprenticed labourers were attached to the said estate or plantation called ————————, for and during all or any part of the

estate, term or interest of him the said A. B. in or of such prædial apprenticed labourer's services and term of apprenticeship. In witness, &c." Which said consent shall be executed by and under the hands and seals of the said justices respectively, and shall be duly entered in a book by such justices to be for that purpose provided.

98. And whereas it has hitherto been the practice and may hereafter be necessary to employ tradesmen, artificers and other labourers upon estates not belonging to their employers, for the purpose of erecting or repairing buildings, machinery or boiling apparatus; Be it therefore enacted, that nothing in this Act contained shall be construed to prevent the temporary employment of any tradesman, artificer or other labourer upon estates or lands not belonging to their employers, for the purposes aforesaid, or any other lawful purpose, and during the hours of labour hereinbefore described: provided such temporary employment shall not disturb any such apprenticed labourer in the possession and enjoyment of his house and provision grounds upon the estate to which he is attached.

99. And whereas it may happen that children who have not attained the age of six years on the said 1st day of August 1834, or that children who after that day may be born to any female apprenticed labourers may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children; Be it enacted, that if any child who on the said 1st day of August 1834 had not completed his sixth year, or if any child to which any female apprenticed labourer may give birth on or after the said 1st day of August 1834 shall be brought before a special justice, and if it shall appear to the satisfaction of such justice that any such child is unprovided with an adequate maintenance, and that such child has not completed the age of 12 years, it shall be lawful for such justice, and he is hereby required on behalf of any such child, to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person entitled to the services of the mother of such child, or who had been last entitled to the services of such mother of such child, if such person shall be willing to accept the same; but in case it shall be made to appear to any such justice that such person aforesaid is unwilling, unable or unfit to enter into such indenture and properly to perform the covenants thereof, then it shall be lawful for such justice, and he is hereby required, to bind any such child to any other person to be by him for that purpose approved of, and who may be willing and able properly to perform such conditions; and the term of such apprenticeship of any such child shall by such indenture be limited and made to continue in force until such child shall have completed his 21st year, and no longer; and every child so apprenticed as aforesaid by the order of any such special justice aforesaid, shall during his apprenticeship be subject to all such and the same rules and regulations respecting the work or labour to be by them done or performed, and respecting the food and other supplies to be to him furnished, as any other such apprenticed labourers as aforesaid: provided always, that the said indenture of apprenticeship shall contain sufficient words of obligation upon the employer to allow reasonable time and opportunity for the education and religious instruction of such child, and shall be recorded by the special justice in his office; the form of which indenture shall be as follows, viz. "This indenture made the ———— day of ————, in the year of our Lord one thousand, &c., between J. P., esq., one of His Majesty's justices of the peace of and for the district of ———— in the Island of Grenada (or Carriacou within the Colony of Grenada), by special commission duly constituted and appointed, and by virtue of the powers in that behalf authorizing and requiring me, and of all other powers in me vested, on behalf of ————, a child of the age of ———— years, or thereabout, of the one part, and A. B. of ————, of the other part: Whereas, the said (child) is the infant child of ————, a female prædial apprenticed labourer attached to the plantation or estate called ————, belonging to or in the possession of the said A. B., and situate, &c., [or, as the case may be], is the infant child of ————, a female unattached prædial apprenticed labourer, [or a female non-prædial apprenticed labourer] in the employ of the said A. B., [or, as the case may be, in the employ of C. D., of, &c.]: Now this indenture witnesseth, that in consideration of the covenants hereinafter contained, and on the part and behalf of the said A. B. and those hereafter to claim through or under him, to be performed, kept and fulfilled, and by virtue of such powers as aforesaid, the said S. I., as such special justice as aforesaid, hath placed and bounden, and by these presents doth place and bind the said ————, the infant child of the said ————, unto and with the said A. B., his heirs, executors and assigns, as a prædial apprenticed labourer, and to be attached to the said plantation or estate called, &c., belonging to the said A. B. as hereinbefore mentioned [or as an unattached prædial apprenticed labourer, or as a non-prædial apprenticed labourer], and as such well and truly and faithfully to serve and obey the said A. B. and those hereafter to claim through or under him, and diligently attend to the business of him the said A. B. and those hereafter to claim through or under him, according to the full force, true intent and meaning of a certain statute passed in and by the Parliament of the United Kingdom of Great Britain and Ireland in the 3d and 4th years of the reign of His Majesty King William the Fourth, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves,' and according to the full force and effect, true intent and meaning of and subject to the several rules and regulations respectively mentioned and contained in an Act of the Legislature of this Colony, intituled, 'An Act,' [here set out the title of this Act] and bearing date, &c.; and it is hereby expressly declared by the said S. I., as such special justice as aforesaid, that the term of the said apprenticeship of the said————, the child of the said ————, is to be and continue from henceforth until the ———— day of ————, which will

be

be in the year one thousand———— &c., when the said ———— will attain his age of 21 years and no longer: provided, nevertheless, that nothing herein contained shall extend or be construed to extend to prevent the said A. B., or those hereafter to claim through or under him, from voluntarily discharging the said ———— from his said apprenticeship at any time before the expiration of the said term, in manner and form hereinbefore limited for the said apprenticeship, nor to prevent the said ————, or any person on his behalf, from purchasing his discharge from the said apprenticeship, according to the said statute of the 3d and 4th of William the Fourth, and the said Act of the ——— day of——— in the case of other apprenticed labourers: and in consideration of such apprenticeship, and all benefit and advantage incident thereto, and of all and all manner of interest, profit or advantage, claim and demand, to be had, gotten or derived therefrom, and of the services, obedience and duty of the said ————, he, the said A. B., doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree, with and to the said S. I., as such special justice as aforesaid, and his successors in office for the time being, in manner following; that is to say, that he, the said A. B., his heirs, executors, administrators and assigns, or those hereafter to claim through or under him, shall and will during the continuance of the said apprenticeship of the said ———— well and truly and punctually find, provide and supply, at the costs and charges of him the said A. B., and of those hereafter to claim through or under him, to and for the said ———— as such ———— apprenticed labourer, such amount, quantity and quality of food, clothing, lodging, medicines, medical attendance and such other maintenance and allowances as are in and by the said Act of the ———— day of———— expressly required and expressed: And also shall and will afford, grant and allow reasonable and sufficient time, and every fit and adequate opportunity for the moral and religious instruction and education of the said ———— during the continuance of his said apprenticeship term.

"In Witness, &c."

100. And be it enacted, that upon and along with every gift, demise, lease, grant, bargain, sale, contract, deed, conveyance or will, whereby any plantation or estate shall pass and be transferred or made over from any person or persons entitled to the same, unto any other person or persons, and to which said plantation or estate any prædial apprenticed labourers shall or may be at that time attached, all and every the apprenticeship of such prædial apprenticed labourers respectively attached thereto, and also all and all manner of interest, profit or advantage, claim and demand whatsoever, and the services and duty of such prædial apprenticed labourers respectively so attached thereto, shall, unless otherwise in and by any such demise, lease, grant, bargain, sale, contract, deed, conveyance or will expressed or reserved, and also either with or without any words to be for that purpose therein contained, but by force and virtue of this present Act, pass and be transferred or made over as herein aforesaid, for and during all the then residue and remainder of the apprenticeship of such prædial apprenticed labourers so respectively attached to such plantation or estate.

101. And be it enacted, that it shall and may be lawful for any person for the time being entitled to the services of any attached or unattached prædial apprenticed labourers or non-prædial apprenticed labourers, to pass or transfer any apprenticeship, and all benefit and advantage incident to any apprenticeship of such apprenticed labourer, and all and all manner of interest, profit, advantage, claim and demand whatsoever, and the services and duty which he may have of, in and to such apprenticed labourers, by last will and testament in writing, to be executed and delivered by the testator in the presence of and attested by two or more credible witnesses, and duly proved and registered or recorded as other wills; or by a deed or instrument in writing, in the form or to the effect following; that is to say, "To all to whom these presents shall come, A. B. [the grantor] of, &c., and C. D. [the grantee] of, &c., send greeting: It is hereby mutually agreed and declared between and by the said A. B. and the said C. D., as follows; that is to say, that in consideration of [state the consideration] the said A. B. being the employer, and as such entitled to the services of the several apprenticed labourers named in the schedule hereunder written or hereunto annexed, hath granted, released, assigned and set over, and by these presents doth grant, release, assign and set over unto the said C. D., his heirs, executors, administrators and assigns [or unto the said C. D., his executors, administrators and assigns, as the case may require] all the apprenticeship of the several and respective apprenticed labourers named in the schedule hereunder written or hereunto annexed, and all benefit and advantage incident thereto, and all and all manner of interest, profit and advantage, claim and demand whatsoever of him, the said A. B., and his heirs [or of him, the said A. B., his executors or administrators, as the case may require] of in or to the same apprenticeship of the said apprenticed labourers respectively; and the services and duty of them, the said apprenticed labourers, respectively, during the residue and remainder [or for and during the space of ———— now next ensuing of the residue and remainder] which is yet to come, and unexpired of their respective apprenticeship, to have and to hold the same apprenticeship of the said several and respective apprenticed labourers and other the premises hereinbefore mentioned, unto the said C. D., his heirs and assigns [or unto the said C. D., his executors, administrators and assigns] from henceforth, for and during all the residue and remainder [or, as the case may be and require] for and during the space of ———— now next ensuing, of the residue and remainder which is yet to come and unexpired of their respective apprenticeship, [if the transfer be by way of hiring out, add as follows] subject to the payment by the said C. D., his heirs or assigns, or his executors, administrators or

assigns, unto the said A. B., his heirs or assigns, or his executors, administrators or assigns, of the sum of ————————, of current money of this Colony, for each and every year, or month, half year, &c., of the said apprenticeship of the said apprenticed labourers, [add any covenants that may be requisite.] In witness, &c." And which said deed shall be executed by the respective parties thereto, in the presence of and attested by one or more credible witness or witnesses, and duly proved upon the oath of any one witness before any special justice, and recorded in his office: provided that no such apprenticed labourer shall by virtue of any will or testament, conveyance or contract, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

102. And be it enacted, that whenever any person seised or possessed of, or entitled to any plantation or estate to which any prædial apprenticed labourers may be attached, shall die intestate, as to any such plantation or estate, and as to the apprenticeship and services of the said prædial apprenticed labourers attached thereto, then the person or persons who shall succeed to or become seised or possessed of or entitled to such plantation or estate, shall also thereupon become and be entitled to the services of the prædial apprenticed labourers attached thereto, and that whenever any person entitled to the services of any prædial apprenticed labourers not attached to any plantation or estate, and whenever any person entitled to the services of any non-prædial apprenticed labourers shall die intestate, as to the services of such prædial apprenticed labourers not attached, and as to the services of such non-prædial apprenticed labourers, then, and in each of such two last-mentioned cases, the person or persons who shall happen to be heir or heirs-at-law of the person so dying intestate, shall by descent succeed and become entitled to the services of all such prædial apprenticed labourers not attached, and non-prædial apprenticed labourers.

103. And be it enacted, that no apprenticed labourer shall, during the term or continuance of his apprenticeship, be competent or compelled, except in cases of emergency hereinafter mentioned, to serve in the militia forces of this Colony, or to hold any office, civil or military, in this Colony: provided, however, that in all cases of invasion, rebellion or any public danger, it shall be lawful for such apprenticed labourers as may be approved by the Governor, to take up arms and to serve in the militia aforesaid, or in their assistance, during the time of any such invasion, rebellion or public danger; and provided further, that nothing herein contained shall extend or to be construed to extend to prevent any apprenticed labourers from holding any office in any corporation or body politic, or in any church or ecclesiastical society, nor to prevent any prædial apprenticed labourer from holding and exercising upon the estate to which he may be attached, or in cases of emergency, upon any other estate within the same district, the office and duties of constable or policeman, at all times when nominated by his employer, and duly sanctioned and confirmed by the Supreme Court of Judicature.

104. And be it enacted, that during the continuance of the apprenticeship of any apprenticed labourer he shall not be liable to imprisonment, but shall be exempt from being imprisoned, arrested or held to bail, for any contract or debt by him incurred or made.

105. And be it enacted, that it shall not be lawful for any person or persons entitled to the services of any apprenticed labourers, to compel or oblige such apprenticed labourers to work or labour upon Sundays, except in works of necessity, or in domestic services, or in the watching and protection of property, or in tending of cattle or stock, nor shall any other apprenticed labourers be hindered or prevented from attending any where on Sundays for religious worship at their respective free-will and pleasure.

106. And be it enacted, that if any apprenticed labourer shall, during the continuance of his apprenticeship, wilfully absent himself from the service of his employer, and be thereof convicted before the special justice, such apprenticed labourer shall, at any time after the period of his apprenticeship, be compelled to serve his employer for so long a time as his employer shall have been so deprived of his services, unless he shall make satisfaction to his employer for the loss he shall have sustained by such deprivation of his services, and so from time to time as often as any such apprenticed labourer shall be so convicted of wilfully absenting himself, whereby his employer shall be deprived of his services before his term of apprenticeship shall be expired; and in case any such apprenticed labourer shall refuse to serve as hereby required, or to make such satisfaction to his employer, such employer may complain to the special justice of the district wherein he shall then reside, who shall issue a warrant, under his hand and seal, for apprehending any such apprenticed labourer; and such justice, upon hearing the complaint, shall determine what satisfaction shall be made to such employer by such apprenticed labourer, and in case such apprenticed labourer shall not give security to make such satisfaction according to such determination, it shall be lawful for such justice to commit such apprenticed labourer to the common gaol of the Island, for any term, not exceeding twelve months, with hard labour, or, until he shall make satisfaction as aforesaid.

107. And be it enacted, that nothing in this Act contained doth or shall extend to exempt any apprenticed labourer from, but that every apprenticed labourer shall be subject to the operation of any law or police regulation, which is or shall be in force in this Colony, for the prevention or punishment of any offence, such law or police regulation being in force against and applicable to all other persons of free condition.

108. And be it enacted, that for the purposes of this present Act, the word employer shall be deemed to comprehend, and be a sufficient legal description of the person having the

the chief superintendence for the time being of the labour of any apprenticed labourers, whether such person having the superintendence for the time being as aforesaid, shall be the master, agent, attorney, manager, overseer or director of such apprenticed labourers.

109. And be it enacted, that nothing in this Act contained shall be construed to abridge the labour hitherto performed by mariners, tradesmen, domestics, and other non-prædial apprenticed labourers.

110. And be it enacted, that wherever words are used in this Act importing the singular number, or the masculine gender only, it shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

111. And be it enacted, that within the meaning, and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Colony shall be taken to be the Governor thereof.

112. And be it enacted, that within the meaning, and for the purposes of this Act, all islands and territories dependent upon this Island of Grenada, and within any part of the Government thereof, shall respectively be taken to be parts of this Colony.

113. And be it enacted, that if any person or persons whosoever shall wilfully swear falsely, touching any of the matters or things required by this Act, every such person or persons shall and may be prosecuted by indictment in the Supreme Court of Judicature of this Colony, and upon conviction, shall be deemed guilty of wilful and corrupt perjury, and shall suffer all the pains and penalties directed by any laws in force in the Colony, to be inflicted upon persons found guilty or convicted of the crime of wilful and corrupt perjury.

114. And be it enacted, that in default of payment of any fine imposed upon any employer by this Act, the same shall be recovered and levied on the goods and chattels of the defaulter by warrant of distress, under the hand and seal of the special justice of the district in which such fine may be incurred, and when not otherwise directed, shall be paid into the public treasury for the use of the Colony.

115. And be it enacted, that in all Act or Acts now in force in this Colony, wherein the services of persons hitherto denominated slaves are rendered available to public uses, such services shall, and the same are hereby declared to apply to, and shall and may be required to be performed by such persons when they shall have become apprenticed labourers.

116. And be it enacted, that a certain statute made in the 52d year of his late Majesty King George the Third, intituled, "An Act to repeal certain Acts, and amend other Acts, relating to religious Worship and Assemblies, and Persons teaching or preaching therein," shall be and is hereby declared to be in force in this Island: provided, nevertheless, that any two or more special justices shall have, exercise and enjoy all and every the jurisdiction, powers and authorities whatsoever, which by force and virtue of the said Act are within the realm of England, had exercised and enjoyed by the several justices of the peace, and by the general and quarter sessions therein mentioned.

117. And be it enacted, that this Act may be altered or varied, amended or explained by any other Act or Acts to be passed this session.

SCHEDULE (A.)

Grenada, } To all constables, policemen of the district of which I the undersigned have
To wit. } special jurisdiction, and to other officers of the peace for the Island of Grenada, whom these presents may concern.

Forasmuch as A. B. of in the said Island of Grenada, hath this day made information and complaint upon oath before me, S. J., esquire, one of His Majesty's justices of the peace, appointed by special commission in the premises, that C. D., late of did [here state concisely the substance of the offence charged upon the party]. These are therefore to command you in His Majesty's name forthwith to apprehend and bring before me the body of the said C. D., to answer unto the said complaint, and to be further dealt with according lo law. Herein fail you not. Given under my hand and seal this day of in the year of our Lord one thousand eight hundred and

S. J., Special Justice.

SCHEDULE (B.)

Grenada, } To all constables, policemen of the district of which I the undersigned have
To wit. } special jurisdiction, and to other officers of the peace for the Island of Grenada, whom these presents may concern.

Forasmuch as A. B. of in the said Island of Grenada, hath this day made information and complaint upon oath before me, S. J., esquire, one of His Majesty's justices of the peace, appointed by special commission in the premises, that C. D., late of did [here state concisely the substance of the offence charged upon the party]. These are therefore to command you in His Majesty's name forthwith to summon

the said C. D. to appear before me at in the said district and island, on the day of next, [or instant] at the hour of in the noon of the same day, to answer unto the said complaint; and further to do and receive what to law doth appertain. And be you then and there to certify what you shall have done in execution hereof. Herein fail you not. Given under my hand and seal the day of in the year of our Lord one thousand eight hundred and

S. J., Special Justice.

SCHEDULE (C.)

Grenada, To wit. } To all constables, policemen of the district of which I the undersigned have special jurisdiction, and to other officers of the peace for the Island of Grenada, whom these presents may concern.

Whereas information hath been made before me, S. J., esquire, one of His Majesty's justices of the peace, appointed by special commission in the premises, that [here state the charge or offence] and that G. H. of , is a material or necessary witness to be examined concerning the same. These are therefore to require you to summon the said G. H. to appear before me, at , in the said Island, on the day of at the hour of o'clock in the noon of the same day, to testify the truth according to the best of his knowledge, concerning the premises, and be you then there to certify what you shall have done in the execution hereof. Herein fail you not. Given under my hand and seal this day of , one thousand eight hundred and

S. J., Special Justice.

SCHEDULE (D.)

Grenada, To wit. } To G. H., a constable, and to the keeper of the public cage [or gaol] at or his deputy.

Whereas C. D., of, &c., is now brought before me, S. J., esquire, one of His Majesty's justices of the peace, appointed by special commission in the premises, and charged upon the oath of A. B., [state the charge] against the peace of our Lord the King, and against the form of the statute in such case made and provided. These are therefore in His Majesty's name to command you, the said constable, to convey the said C. D. to the said keeper; and you, the said keeper, are hereby required to receive and safely keep him, the said C. D., in your said cage [or gaol] until the day of next, when you are hereby required to bring him, the said C. D., again before me to be re-examined and further dealt with according to law; and for so doing this shall be your sufficient warrant. Given under my hand and seal this day of one thousand eight hundred and

S. J., Special Justice.

SCHEDULE (E.)

Grenada, To wit. } C. D., of, &c. acknowledges himself to be indebted to our Sovereign Lord the King, in the sum of pounds; and E. F., of, &c., acknowledges himself to be indebted to our Sovereign Lord the King in the sum of pounds, upon condition that the said C. D. do personally appear before me, S. J., esquire, one of His Majesty's justices of the peace, appointed by special commission in the premises, on the day of next, at , then and there to be re-examined, and further dealt with upon a charge now before me, upon the oath of A. B., of, &c., [state the charge] against the peace of our Sovereign Lord the King, and against the form of the statute in such case made and provided; and upon condition that he, the said C. D., do not depart without my leave, then this recognizance to be void, or else to remain in full force. Taken and acknowledged the day of , in the year of our Lord one thousand eight hundred and

S. J., Special Justice.

SCHEDULE (F.)

Grenada, To wit. } BE it remembered, That on the day of in the year of our Lord one thousand, &c., at , in the Island of Grenada, before me, S. J., esquire, one of His Majesty's justices of the peace, duly constituted and appointed by special commission in the premises, C. D., of, &c., was duly convicted for that, [here state the offence] against the peace of our Lord the King, and against the form of the statute in such case made and provided; and I do declare and adjudge, that he, the said C. D., [if the defendant be the employer, say] hath forfeited for his said offence the sum of , to be distributed as the law directs; [or if the defendant be the apprenticed labourer, say] that the said C.D., for his said offence, is a deserter [a vagabond, as the case may be] and that he the said C. D. be therefore committed to the cage [or gaol] of , there to be kept to hard labour for the space of ; [or, that the said C. D., for his said offence, do serve the said A. B. 15 extra hours] or otherwise, according to the nature of the offence.

S. J., Special Justice.

SCHEDULE (G.)

SCHEDULE (G.)

Grenada, } BE it remembered, That on the day of , in the year of
To wit. } of our Lord one thousand, &c., at , in the Island of Grenada, before me, S. J., esquire, one of His Majesty's justices of the peace, duly constituted and appointed by special commission, in the premises, C. D., of, &c., was duly convicted for that, [here state the offence] against the peace of our Lord the King, and against the form of the statute in such case made and provided; and I do declare and adjudge that the said A. B. is not guilty of the offence aforesaid, in manner and form as the said C. D. for himself above hath alleged; whereupon it is considered by me, the said special justice here, that the said A. B., of the offence aforesaid, be discharged, and go thereof without day ; and I do declare and adjudge that the said C. D. did not adduce sufficient proof in support of his said complaint, or that the said C. D. is guilty of having preferred a frivolous, or vexatious, or malicious, &c., complaint against him, the said A. B., in manner and form as is above alleged; and I do further declare and adjudge, that for having preferred against the said A. B. such frivolous, or vexatious or malicious complaint, [as may be] the said C. D. do work in his employer's service for the space of days, [or if the employer] the said C. D. is fined in the sum of to the use of the said A. B.

S. J., Special Justice.

SCHEDULE (H.)

THE same as last precedent, merely leaving out in the adjudication the words "frivolous or vexatious."

SCHEDULE (I.)

Grenada, } To G. H., constable, and to the Keeper of His Majesty's gaol in and for the
To wit. } Island of Grenada.

Whereas C. D., of, &c., is now brought before me, S. J., esquire, one of His Majesty's justices of the peace, duly constituted and appointed by special commission in the premises, and charged on the oath of A. B., of, &c., for that [here state the offence.] These are therefore, in His Majesty's name, to command you, the said constable, to convey the said C. D. to the said keeper, and you the said keeper are hereby required to receive and safely keep the said C. D. in your gaol, until he shall be thence discharged by due course of law; and for so doing this shall be your sufficient warrant. Given under my hand and seal this day of , in the year of our Lord one thousand, &c.

S. J., Special Justice.

SCHEDULE (K.)

Grenada, } To any of the Constables of the district over which I, the undersigned special
To wit. } justice of the peace have judicial cognizance, under the Act in such case made and provided.

Whereas C. D., of, &c., was, on the day of now last past, duly convicted before me, S. J., esquire, one of His Majesty's justices of the peace, duly constituted and appointed by special commission in the premises, [state conviction] contrary to the form of the statute in such case made and provided, and I then and there declared and adjudged, that [state the adjudication]: And whereas the said sum of still remains wholly unpaid; these are therefore to command you to levy the said sum of by distress of the goods and chattels of the said C. D., and if within six days next after such distress the same shall not be redeemed by payment of the said sum, together with the reasonable charges of taking the said distress, then that you sell the goods by you distrained, and that out of the money which shall be paid to you, or which shall arise by such sale, you pay the said sum of to the said A. B., returning the overplus, if any, to the said C. D. upon demand, the reasonable charges of taking, keeping and selling the said distress being first deducted; and that you certify unto me what you shall do by virtue of this warrant. Given under my hand and seal the day of , one thousand, &c.

S. J., Special Justice.

SCHEDULE (L.)

Grenada, } To all Constables of the district over which the undersigned hath special cog-
To wit. } nizance, in the premises under the Act in such case made and provided.

These are in His Majesty's name to command you and every of you, upon sight hereof, to take and bring before me the body of T. W., of whom you shall have notice, to answer all such matters and things as on His Majesty's behalf are on oath objected against him by A. B., for that he being a material witness to prove a certain misdemeanor, [or as the case may be] lately committed, and having been duly summoned to give evidence touching the same, hath neglected to appear in pursuance of the said summons, against the peace of our Lord the King, and against the form of the Act in such case made and provided; hereof fail you not at your peril. Given under my hand and seal, this day of one thousand eight hundred and .

S. J., Special Justice.

SCHEDULE (M.)

Grenada, } To A. B., constable, and to the keeper of the public gaol in and for the Island
To wit. } of Grenada, or his deputy, or to the keeper of the cage in and for the parish of .

These are to command you, the said constable, to take and convey T. W. to the said keeper; and you, the said keeper, are hereby required to receive into your custody the body of the said T. W. herewith sent you, brought before me, S. J., esquire, one of His Majesty's justices of the peace, duly constituted and appointed by special commission in the premises, for that he hath absolutely and wilfully refused, and still doth so refuse, to give evidence and be examined touching a certain complaint made upon oath before me by C. D. against E. F., or to give sufficient reason for his refusal, in wilful and open violation and delay of justice; the said T. W. therefore safely keep in your said custody until he shall submit to be examined touching the said misdemeanor, or until he shall be discharged by due course of law, and for so doing this shall be your sufficient warrant. Given under my hand and seal this day of one thousand, &c.

S. J., Special Justice.

SCHEDULE (N.)

Grenada, } To any of the Constables of the district over which I the undersigned special
To wit. } justice of the peace have judicial cognizance, under the Act in such case made and provided.

Whereas [recite the contract and recite the foregoing award] And whereas the said C. D. did not within the space of one week from the time of his being served with the said award, pay or cause to be paid unto the said A. B. the said sum of and the same yet remains unpaid: These are therefore to command you to levy the said sum of by distress of the goods and chattels of the said C. D., and if within six days next after such distress the same shall not be redeemed by payment of the said sum, together with the reasonable charges of taking the said distress, then that you sell the goods by you distrained, and that out of the money which shall be paid to you, or which shall arise by such sale, you pay the said sum of to the said A. B., returning the overplus, if any, to the said C. D. upon demand, the reasonable charges of taking, keeping and selling the said distress being first deducted; and that you certify unto me what you shall do by virtue of this warrant. Given under my hand and seal the day of one thousand, &c.

S. J., Special Justice.

—No. 48.—

No. 48.

Grenada.

AN ACT to alter and amend an Act, intituled, "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies," and to make further provision for the purposes in the said Act mentioned.—(Passed 1st August 1834.)

Preamble. Island of Grenada to be divided into three grand divisions instead of six, and each grand division subdivided into three judicial districts.

WHEREAS it is necessary to alter and amend the Act passed on the 7th day of March last, for carrying into effect the provisions of the Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His present Majesty, for the Abolition of Slavery, and to make further provision for the purposes in the said Act mentioned; Be it therefore enacted by his Excellency the Governor, the Council and Assembly of these Islands, and it is hereby enacted, by the authority of the same, That the Island of Grenada and its dependencies be divided into three grand divisions or districts, instead of six districts as in the said Act is provided, and that each of the said grand divisions or districts be subdivided into three judicial districts, in manner hereinafter mentioned.

Boundaries of grand divisions to be affixed by Governor, and altered by him from time to time as may be expedient.

2. And be it enacted by the authority aforesaid, that the boundaries of the said grand divisions or districts, and of the said judicial districts shall be fixed and appointed by the Governor in Council, and shall and may be varied and altered by the said Governor in Council, from time to time as may be found expedient.

Lawful for Governor to appoint special justices with same powers as those appointed by Act of Parliament.

3. And be it enacted by the authority aforesaid, that it shall be lawful for the Governor, in the name and on the behalf of His Majesty, to issue under the public seal of this Colony, one or more special commission or commissions to any person or persons constituting him or them a justice or justices of the peace for any of the said judicial districts, with the same powers and authorities as shall be contained in the commissions to be from time to time issued, under and by virtue of the 14th clause of the said recited Act of the Imperial Parliament, to the persons nominated by His Majesty to be justices for carrying into execution the laws for the abolition of slavery.

One stipendiary magistrate to preside over each grand division, and three or more special justices appointed to each judicial

4. And be it enacted, that a stipendiary justice shall preside over each of the said grand divisions, and that in each judicial district there shall be three or more special justices commissioned as aforesaid, and that within each grand division there shall be established a police,

police, consisting of one stipendiary justice, and nine or more special justices, and one serjeant, three corporals and eighteen privates, to be at the disposal of the justices of the said division, and to act under such rules and regulations as may from time to time be made by the special justices at their petty sessions hereinafter mentioned: provided always, that nothing herein contained shall prevent the said justices at their petty sessions from appointing one or more privates of police for the purposes of this Act, from amongst the apprenticed labourers upon any plantation within their division, by and with the consent of the employer of such apprentices, over and above the number of privates attached to each police establishment, with the same powers and authorities as such privates of police.

district. In each grand division to be established, a police force of one stipendiary justice, nine or more special justices, one serjeant, three corporals, and eighteen privates, to act under justices of district.

5. And be it enacted, that on the Saturday in every week, or oftener, if necessary, there shall be held a petty sessions within each of the said grand divisions or districts, consisting of the stipendiary justice for such division, and two or more of the special justices within the same, for the purpose of hearing and determining all cases which may be brought before them; at which petty sessions the stipendiary justice, if not prevented by sickness or other unavoidable cause, shall preside.

Petty sessions to be held in each grand division at least once every week, to hear and determine cases, to consist of one stipendiary magistrate and two special justices, and at which stipendiary magistrate to preside.

6. And be it enacted, that wheresoever the words special justice of each district, or special justice of any district, occur in the said recited Act of these Islands, the same shall be deemed to import and mean any stipendiary or special justice, who shall be appointed to carry the provisions of the said Act into execution; and wheresoever the word district occurs by itself in the said recited Act of these Islands, the same shall be deemed to import each grand division so to be fixed and appointed as aforesaid, and that the powers, duties and authorities, in and by the said Act of these Islands, vested in and imposed on the special justice of each or any district in the same Act mentioned, shall be and the same are hereby vested in and declared obligatory on all and every the special justices and justice so to be appointed as aforesaid.

Import and application of certain words defined.

7. And be it enacted, that all and every the powers, authorities and duties in and by the said recited Act of these Islands, vested in or imposed on any one special justice may be performed and executed by any two or more of such special justices.

Powers vested in one special justice may be performed by any two or more of them.

8. And be it enacted, that the first clause of the said recited Act of these Islands shall be and the same is hereby repealed.

First clause of before recited Act repealed.

9. And be it enacted, that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Colony shall be taken to be the Governor thereof.

Person in administration of government of Colony for time being considered Governor thereof.

—No. 49.—

Grenada. No. 49.

AN ACT to amend an Act, intituled, "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies," and to make further provision for the purposes in the said Act mentioned.—(Passed 29th December 1834.)

WHEREAS it is necessary to amend the Act passed on the 11th day of March last, intituled, "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies," and to make further provision for the purposes in the said Act mentioned; Be it therefore enacted by his Excellency the Lieutenant-Governor, the Council and Assembly of these Islands, and it is hereby enacted by authority of the same, That the 47th, 48th, 64th, 65th, 66th, 70th, 78th and 98th clauses of an Act passed upon the 11th day of March last, intituled, "An Act for carrying into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 3d and 4th years of the reign of His present Majesty King William the Fourth, for the Abolition of Slavery throughout the British Colonies," shall be and the same are hereby declared to be all and severally repealed.

Preamble.

2. And be it enacted by the authority aforesaid, that every employer of apprenticed labourers attached to or worked upon any plantation or estate, or his attorney, agent or representative, shall allow to each and every such apprenticed labourer a sufficient portion of land adapted to the growth of provisions for his support and maintenance; and between the 1st day of January and the 31st day of December in each and every year, shall allow to each and every such apprenticed labourer 26 full working days over and above the time allotted by the 51st clause of the said Act passed upon the 11th day of March last, for the purpose of cultivating the same, at the discretion of the employer of such apprenticed labourer, or his agent or representative, and as to him may be deemed most advantageous and beneficial to such apprenticed labourers; provided that in all cases where it shall be found inconvenient for such employer of apprenticed labourers, to allow such portion of land for the purpose aforesaid, he shall, by some other ways and means, make ample provision for such apprenticed labourers in lieu thereof; and that every employer of such apprenticed labourers shall provide for and allow to every family, consisting of four or more apprenticed labourers, a good

and comfortable house, with one or more cabannes or beds, raised at least one foot from the ground, and shall provide and give to each and every such apprenticed labourer a sufficient allowance weekly of salt and salt fish, or of such other food as their ages and state of health may require, and shall provide and give to each and every such apprenticed labourer sufficient clothing and blankets, suitable to their respective sexes, ages and conditions; and that every employer of apprenticed labourers not attached to nor worked upon any plantation or estate, shall provide for and furnish such apprenticed labourers with comfortable lodgings, sufficient food and decent clothing; and if any employer of apprenticed labourers shall neglect or refuse to comply with the provisions hereinbefore specified, every person so offending shall, on conviction before any stipendiary or special justice, forfeit and pay the sum of 10*l.* for every neglect or refusal: provided also, that every apprenticed labourer as aforesaid, shall be allowed Christmas and New Year's days as holidays.

3. And be it enacted, that on complaint from any apprenticed labourer or labourers, or upon the information or complaint of any other person or persons, or the fact coming to the knowledge of any stipendiary or special justice in any other manner, that the provisions hereinbefore contained for the maintenance and support of such apprenticed labourer or labourers, according to the true intent and meaning of this Act, have not been complied with, it shall and may be lawful to and for such stipendiary or special justice, and he is hereby required to proceed to the plantation, estate or place whereon such apprenticed labourer or labourers is or are resiedent or attached, or to cause and command such apprenticed labourer or labourers, or such other person or persons as such stipendiary or special justice may deem necessary to be examined in the premises, to appear before him, and such stipendiary or special justice shall and may inquire into such complaint, and if necessary, shall and may inspect the grounds, clothing and lodging of such apprenticed labourer or labourers, and shall and may examine into their general treatment, and for the more effectual discovery of the truth, it shall and may be lawful for such stipendiary or special justice on such inquiry to administer to such person or persons the following oath, viz.:

"I., A. B,. will true answer make to all such questions as shall be put to me touching the clothing, feeding, maintenance and general treatment of the apprenticed labourers, upon or belonging to the estate of or to
So help me God."

And if any person shall refuse to be sworn, or when sworn, shall refuse to answer such questions as shall be put to him relative to such complaint or inquiry, he shall forfeit the sum or 50*l.*; and if it shall appear on such complaint or inquiry to the said stipendiary or special justice, that any offence hath been committed against the provisions hereinbefore contained for the maintenance and support of such apprenticed labourers, then and in such case he is hereby authorized and strictly required to afford redress to such apprenticed labourer or labourers without delay, in manner and to the extent hereinafter specified; that is to say, to each apprenticed labourer attached to and worked upon any plantation or estate, one quarter of an acre of land, or a weekly allowance in money of 4*s.* 6*d.* currency, in lieu thereof, a weekly allowance of one quarter of a pint of salt, and two pounds of salt fish, or such other provisions as may be equivalent thereto, an annual allowance of clothing as follows: one pennistone or cloth jacket, and three yards of cloth or pennistone, or six yards of cloth or pennistone, eight yards of osnaburghs or other linen of equal strength or value, one hat, with needles and thread, and a triennial allowance of one blanket; and to each apprenticed labourer not attached to, nor worked upon any plantation or estate, a weekly allowance in money, or provisions equivalent thereto, to the value of 6*s.* currency, and an annual allowance of two suits of clothing; and such stipendiary or special justice is hereby authorized and empowered to issue an order under his hand, requiring such employer of apprenticed labourers to provide, furnish and give the allowances hereinbefore immediately specified, or so much and such parts thereof as to the said stipendiary or special justice in his discretion may seem meet; and such employer, for every neglect or refusal to comply with and obey such order, shall forfeit and pay the sum of 100*l.* current money of the said Island.

4. And be it enacted, that in case the portion of land allotted to any apprenticed labourer by his employer shall be situated at a distance exceeding three miles beyond the dwelling of such apprenticed labourer, and such apprenticed labourer shall complain of the hardship or inconvenience thereof to any stipendiary or special justice, he shall thereupon make such order as shall be just, so that a sufficient quantity of land at a reasonable distance, or ample provision in lieu thereof, be allowed to such apprenticed labourer.

5. And be it enacted, that it shall be lawful for any employer of any apprenticed labourer to substitute money for the allowances of food hereinbefore provided, or any part thereof, at the marketable value of such allowances of food at the time of such substitution.

6. And be it enacted, that it shall be lawful for any stipendiary or special justice to call for and inspect the hospital book, required to be kept by the 53d clause of the said Act passed on the 11th day of March last, at any time he may think fit, and if any person, who ought to produce such hospital book, shall neglect, omit or refuse to do so when required, he shall incur a penalty of 5*l.* for every such neglect, omission or refusal.

7. And be it enacted, that it shall not be lawful to detain in any hospital any apprenticed labourer who may have obtained from the medical attendant permission to depart therefrom.

8. And

8. And be it enacted, that the words "legal and lawful" mentioned and contained in the 55th clause of the said Act passed on the 11th day of March last, shall be read and considered as the word "reasonable," which is hereby substituted in lieu thereof.

9. And be it enacted, that so much of the 58th clause of the said Act passed on the 11th day of March last, as imposes any penalty or punishment upon any apprenticed labourer for endangering, or injuring, or exposing to damage or injury any property not belonging to his employer, or for neglecting or ill-using any cattle or other live stock not belonging to his employer, shall be and the same is hereby repealed.

10. And be it enacted, that nothing in the said Act passed on the 11th day of March last, shall prevent or be construed to prevent any apprenticed labourer from preferring or resorting to prefer any complaint to the Governor, respecting any grievance, matter or thing not cognizable by any stipendiary or special justice, or from complaining or resorting to complain to the Governor against the decision of any stipendiary or special justice: provided always, that it shall not be lawful for any gang of apprenticed labourers, or any larger number thereof than the number allowed by the 63d clause of the said Act passed on the 11th day of March last, to leave the estate to which they are attached, for the purpose of preferring any such complaint, and all the provisions of the said 63d clause relating to, and regulating the resort and returns of apprenticed labourers to and from a special justice, for the purpose of making any complaint, and the penalty thereby imposed for obstructing any apprenticed labourer therein, shall be and the same are hereby declared to extend to cases where any apprenticed labourers shall be desirous of complaining to the Governor.

11. And be it enacted, that all contracts between any employer and apprenticed labourers for any taskwork or extra service, for any period exceeding five days, shall be entered by the employer or his agent in a book, to be kept for that purpose, upon the plantation to which such apprenticed labourer is attached, and upon complaint made to any stipendiary or special justice by any apprenticed labourer who shall have entered into the same, such stipendiary or special justice shall be and he is hereby authorized to inquire whether the terms of any such contract were distinctly understood by such apprenticed labourer, and whether he entered into it freely and voluntarily, and whether the same is reasonable and just, and such stipendiary or special justice shall make such adjudication in the matter as the justice of the case may require.

12. And be it enacted, that so much of the 76th clause of the said Act passed on the 11th day of March last, as authorizes any justice of the peace to adjudge, decide or determine, on of or concerning any offence within the same clause, shall be and the same is hereby repealed and the authority to adjudge, decide and determine on of and concerning such offence, is hereby vested in any two or more special justices.

13. And be it enacted, that every prædial apprenticed labourer found during the hours of work appointed by law, beyond the limits of the estate to which such apprenticed labourer may be attached, and not having with him a written pass for the purpose from his employer, or from some special justice, shall be liable to be apprehended and brought before a special justice, and unless such labourer shall explain the cause of his absence, or make sufficient excuse for the same to the satisfaction of such special justice, such labourer shall be adjudged a vagabond, and punished accordingly.

14. And be it enacted, that when any apprenticed labourer shall be desirous of purchasing the remaining period of his apprenticeship, and his employer shall, after due notice, neglect or refuse to appoint an appraiser, to estimate the value of the services of such apprenticed labourer for the remaining period of his apprenticeship, pursuant to the provisions of the 93d clause of the said Act, passed on the 11th day of March last, it shall be lawful for the special justice to nominate both the appraisers, who shall act in the matter of such appraisement in the manner pointed out by the said clause of the said Act; and in order to provide for the discharge of apprenticed labourers desiring to obtain the same by purchase, in cases where the employers of such apprenticed labourers may be unable to contract for such discharge, it is hereby enacted, that if the employer of any apprenticed labourer, or any person having any interest in any such apprenticed labourer, shall by reason of any mortgage or settlement, or lease or charge upon or interest in such apprenticed labourer, being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprenticed labourer, or if the employer, or any other person having a charge upon or interest in any such apprenticed labourer shall be a minor or a married woman, or idiot or lunatic, or if the real employer of any such apprenticed labourer shall be absent from Grenada, and shall be unrepresented therein, or shall not be known, or if any suit or action shall be depending in any court of justice in the said Island wherein the right to the service of such apprenticed labourer shall or may be in controversy, then and in each and every of the cases aforesaid, the chief justice of the said Island, on application to him for that purpose made by any special justice, shall issue a summons under his hand and seal, requiring the employer of such apprenticed labourer to appear before him at some convenient time and place, to be in such summons for that purpose appointed, and notice shall be published in the public Gazette of the said Island of the time and place appointed for the purpose aforesaid; and in such notice all persons having or claiming to have any title or interest to or in the services of the apprenticed labourer proposed to be discharged, either in their own right or as the agents, guardians, attorneys, trustees or representatives of any other person, shall be required to attend and prefer such claims.

15. And be it enacted, that at the time appointed for any such meeting as aforesaid, the chief justice of the said Island, in the presence of the said special justice, and also in the

presence of the employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer or other person claiming any interest in the services of the apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; and in case it shall be made to appear to the said chief justice that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor, or a married woman, or idiot, or lunatic, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer is absent from the said Island, and is unrepresented therein, or is unknown, or cannot be found, or that any action is depending in any court of justice in the said Island wherein the right to the services of such apprenticed labourer is in controversy, then and in every such case the said chief justice shall require the special justice and the employer of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services for the remainder of such apprenticeship, and the said chief justice shall himself nominate an umpire between such appraisers; but if such employer, being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said chief justice shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

16. And be it enacted, that the appraisers so to be nominated as aforesaid, shall be duly sworn by and before the said chief justice to make a fair and impartial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged; and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to the said chief justice under their hands and seals, and in case such joint certificate shall not be so made and delivered to the said chief justice within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall, within the next succeeding seven days, certify his valuation to the said chief justice; and the valuation to be made in manner aforesaid, either by the said joint appraisers or in their default by the said umpire, shall be binding and conclusive, and shall be filed or enrolled among the proceedings of the Supreme Court of Judicature.

17. Provided nevertheless, and be it enacted, that if it shall be made to appear to the said chief justice within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said chief justice to set aside the said valuation and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said chief justice in manner aforesaid, shall be to all intents and purposes binding and conclusive; provided that such second or any subsequent valuation may in like manner be set aside by any such chief justice on the grounds aforesaid, until a valuation is made not open to any such objection: provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned within three calendar months next after the filing or enrolment thereof, such filing or enrolment shall be cancelled.

18. And be it enacted, that upon or within three calendar months next after the filing or enrolment in the said Supreme Court of Judicature of any such valuation as aforesaid, it shall be lawful for any special justice as aforesaid out of any monies to be supplied to him for that purpose by the apprenticed labourer proposed to be discharged, to pay to the public treasurer of the said Island the appraised value of the services of such apprenticed labourer, taking a receipt in writing from such treasurer for every such payment; and the said chief justice shall, upon application to him for that purpose made by the said special justice, make an order for the filing or enrolment in the said Supreme Court of Judicature of such receipt, and the said chief justice shall by such order further proceed to declare and adjudge that the apprenticed labourer, by or on behalf of whom such money hath been paid, is discharged, and such apprenticed labourer shall thereupon be and be deemed, taken and reputed to be discharged to all intents and purposes from such apprenticeship.

19. And be it enacted, that the money to arise from the discharge of any apprenticed labourer by virtue of the proceedings before mentioned, shall remain in the hands of the public treasurer of the said Island, and shall bear interest at and after the rate of 5*l.* per cent. per annum; and His Majesty's Colonial Revenue in the said Island shall be and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall, in the discretion of such public treasurer, be invested in the purchase, in his name, of any public funds or securities of Great Britain and Ireland; and the Chief Justice of the said Island shall and he is hereby authorized upon application to him for that purpose made, to direct that the money in the hands of the said public treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property

property of the person or persons who was or were entitled to the services of such discharged apprenticed labourers, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such services were subject unto at such time of the discharge of such apprenticed labourer; and the said public treasurer shall hold the said money and the interest accruing therefrom, or the said public funds and dividends, subject to such order as such chief justice of the said Island may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make, and such principal money and interest shall by such public treasurer be paid and disposed of in pursuance of and in obedience to any such order.

20. And be it enacted, that it shall and may be lawful for the chief justice of the said Island to make and prescribe, and from time to time to revoke and alter as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before him.

21. And be it enacted, that in case of the death, suspension or absence from the said Island of the said chief justice thereof, or in case of his having any right or interest in or to the services of any apprenticed labourer desirous to purchase the remaining period of his apprenticeship, all and every the powers, duties and authorities hereby vested in and directed to be performed by the said chief justice, shall in every such case devolve upon and be exercised by the senior assistant justice of the said Supreme Court of Judicature; provided that he, the said senior assistant justice, shall not have any right, title or interest in or to the services of the apprenticed labourer or labourers desiring to purchase his, her or their remaining period of apprenticeship, either of himself or as agent or attorney of any party having such right, title or interest, or then and in such case of his being so interested, the same duties and authorities shall devolve upon the next senior assistant justice not having any right, title or interest as aforesaid in the services of such apprenticed labourer.

22. And be it enacted, that so much of the 103d clause of the said Act, passed upon the 11th day of March last, as authorizes the employer of apprenticed labourers to nominate such apprenticed labourers to or for the office of constables or policemen, shall be and the same is hereby repealed: And it is hereby enacted, that it shall be lawful for any special justice to appoint constables on any plantation from amongst the most respectable apprenticed labourers, which constables shall have (with reference to other apprenticed labourers) the same powers as ordinary constables, and shall and they are hereby authorized and empowered to take into custody any apprenticed labourer who shall have committed any offence against the provisions of the said Act passed on the 11th day of March last, or of this Act, and who it is presumed will attempt to escape.

23. And be it enacted, that no apprenticed labourer shall be compelled or compellable to yield any extra service or compensation of any description to his employer after the expiration of seven years next after the termination of the apprenticeship of such labourer.

24. And be it enacted, that no apprenticed labourer shall during his own time be liable to perform any service required by the 115th clause of the said Act passed upon the 11th day of March last.

TOBAGO.

— No. 50. —

Tobago.

AN ACT to carry into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves."—(Passed 2 May 1834.)

Preamble.

WHEREAS by an Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," passed on or about the 28th day of August now last past, it is amongst other things enacted, that all persons who, on the 1st day of August, in the present year 1834, shall have been registered as slaves in any such Colony, and shall be actually within any such Colony, and shall appear on the register to be six years old and upwards, shall, by force and virtue of the said Act, and without the previous execution of any indenture of apprenticeship or other deed or instrument for that purpose, become and be apprenticed labourers: And whereas by the said Act it is declared to be necessary that certain rules and regulations should be established for giving effect to the provisions of the said Act: And whereas it is desirable that such rules and regulations as are necessary for giving effect to the provisions of the said Act, as far as they relate to the internal concerns

of this Colony, should be enacted by the Legislature thereof: We therefore, Your Majesty's most dutiful and loyal subjects, his Excellency Major-General Henry Charles Darling, Lieutenant-Governor in and over the Island of Tobago and its dependencies, the Council and General Assembly of the same, do humbly pray Your most Excellent Majesty that it may be enacted; and be it, and it is hereby enacted, by the said Lieutenant-Governor, by and with the advice and consent of the said Council and General Assembly in Session assembled, and by the authority of the same, that, subject to the obligations imposed by this Act, all persons who on the 1st day of August next ensuing shall be holden in slavery within this Colony, shall upon and from and after the said 1st day of August next ensuing, become and be, to all intents and purposes, free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children shall, in like manner, be free from their birth; and that from and after the said 1st day of August next ensuing, slavery shall be and is hereby utterly and for ever abolished and declared unlawful in this Colony: Provided also, and be it further enacted, that all slaves who may at any time previous to the passing of this Act have been brought with the consent of their possessors, and all apprenticed labourers who may hereafter, with the like consent, be brought into any part of the United Kingdom of Great Britain and Ireland, shall, from and after the passing of this Act, be absolutely and entirely free to all intents and purposes whatsoever.

Subject to obligations imposed hereby, all slaves in this Island emancipated from 1st August next, from which time slavery shall be abolished in this Island.

All slaves brought into the United Kingdom, with consent of possessors, free after passing of this Act.

2. And be it, and it is hereby enacted, by the authority aforesaid, that no person who by force and virtue of the said recited Act of the Imperial Parliament shall become a prædial apprenticed labourer, whether attached or not attached to the soil, shall continue in such apprenticeship beyond the 1st day of August 1840, and that during such his or her apprenticeship no such prædial apprenticed labourer, whether attached or not attached to the soil, shall be bound or liable by virtue of such apprenticeship (except in such cases as are hereinafter excepted) to perform any labour in the service of his or her employer or employers for more than 45 hours in the whole in any one week.

Apprenticeship of prædial labourers not to continue beyond 1st August 1840.

3. And be it, and it is hereby enacted, by the authority aforesaid, that no person who by virtue of the said Act shall become a non-prædial apprenticed labourer, shall continue in such apprenticeship beyond the 1st day of August 1838.

Of non-prædial labourers not beyond 1st August 1838.

4. And be it, and it is hereby enacted, by the authority aforesaid, that if, before the term of any such apprenticeship shall have expired, the person or persons entitled, for and during the remainder of any such term, to the services of such apprenticed labourer, shall be desirous to discharge him or her from such apprenticeship, it shall be lawful for such person or persons so to do, by any deed or instrument to be by him, her or them for that purpose made and executed, which deed or instrument shall be duly executed in the presence of two or more credible witnesses, and recorded in the register's office of the said Island: Provided nevertheless, that no employer having a partial or temporary interest in any apprenticed labourer, may, to the extent of such interest, effect his or her discharge or release gratuitously, unless all other persons having a partial, future or reversionary interest in such apprenticed labourer, shall consent to be parties to such discharge or release, or unless such partial, future or reversionary interest shall be purchased in the manner and according to the rules and regulations hereinafter established for the purchase, by any apprenticed labourer, of his or her discharge, against the will of his or her employer: And provided also, that if any person so discharged from any such apprenticeship by any voluntary act as aforesaid, shall be at that time of the age of 50 years or upwards, or shall be then labouring under any such disease or mental or bodily infirmity, as may render him or her incapable of earning his or her subsistence, then and in every such case the person or persons so discharging any such apprenticed labourer as aforesaid, shall continue and be liable to provide for the support and maintenance of such apprenticed labourer during the remaining term of such original apprenticeship, as fully as if such apprenticed labourer had not been discharged therefrom.

Before apprenticeship is expired, labourer may be discharged by voluntary act of employer.

In case of voluntary discharge of aged or infirm apprentice, employer to continue liable for support.

5. And be it, and it is hereby enacted, by the authority aforesaid, that it shall and may be lawful for any such apprenticed labourer to purchase his or her discharge from such apprenticeship, even without the consent, or in opposition, if necessary, to the will of the person or persons entitled to his or her services, upon payment to such person or persons of the value of such services, to be appraised in manner hereafter mentioned; and if the person or persons entitled to or having an interest in the service of any such apprenticed labourer, shall, upon due application made to him or them for that purpose, and tender of payment of the value of such services, be unwilling or refuse to execute such discharge as aforesaid, or shall, by reason of any mortgage or settlement, or lease, or charge upon, or interest in such service, being vested in any other person or persons, be unable to execute a valid and effectual discharge, or if the person entitled as aforesaid shall be a minor, or a married woman, or idiot, or lunatic, or shall be absent from the Island, or shall not be known, or if any suit or action shall be depending in any court of justice in this Island, wherein the right to the services of such apprenticed labourer shall or may be in controversy, or if the person or persons entitled to the service of any such apprenticed labourer shall demand as the price of such discharge a greater sum of money than may appear to the special justice of the district in which such apprenticed labourer may reside, to be the fair and just value thereof, then and in each and every of the cases aforesaid, the chief or senior assistant justice of the Court of Common Pleas of the said Island, on application to him made for that purpose

Apprentice may purchase discharge against the will of his employer on an appraisement.

If person entitled to services unwilling or refuse to execute discharge or be incapable of doing so;

Justices of Court of Common Pleas on application to them made,

purpose by such special justice, shall issue a summons, under his hand and seal, requiring the person or persons entitled to such service, or their agents or representatives, to appear before the justices of the said court in chambers, at such time as shall be in such summons appointed; and the justices of the said court, or so many of them as shall be resident in the said Island, and able to attend, shall, in the presence of such special justice and the person or persons entitled to such service, or upon proof being made to them of the due service of such summons, then, if necessary, in the absence of such person or persons, shall proceed to hear, in a summary way, what may be alleged by such of the said parties as may attend; and in case the person or persons entitled to such service shall refuse to execute such discharge at a price approved of by the said court, or in case it shall be made to appear to the said court that a valid discharge cannot be effected by private contract, or that the person entitled to or having an interest in such services is a minor, or a married woman, or idiot, or lunatic, or is absent from the Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice of this Island, wherein the right to the services, of such apprenticed labourer is in controversy, then and in every such case the said court shall order and direct such special justice and the person or persons entitled to such service, if attending in pursuance of such notice, each to nominate an appraiser of the value of the service of such apprenticed labourer, and the court shall nominate an umpire between such appraisers; but if such special justice, or the person or persons entitled to such service, being duly summoned as aforesaid, shall fail to attend, or attending, shall refuse or omit to nominate an appraiser, then the said chief justice or senior assistant justice shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such special justice, or of such person or persons entitled to such service as aforesaid.

to summon parties to appear at chambers, and to proceed to hear in a summary way what may be alleged;

and to order special justice and person entitled to service of apprentice each to nominate an appraiser.

Court to nominate umpire.

6. And be it, and it is hereby enacted, by the authority aforesaid, that the appraisers so to be nominated as aforesaid, shall be duly sworn before the said court to make a fair and impartial appraisement of the services of such apprenticed labourer so proposed to be discharged, and within ten days next after such their appointment, such appraisers shall make a joint valuation thereof, and shall certify such their valuation to the said court, under their hands and seals; and in case such joint certificate shall not be so made and delivered within the term aforesaid, then the said umpire, being duly sworn in manner aforesaid, shall, within ten days next thereafter, certify his valuation to the said court, and the valuation to be made in manner aforesaid, either by the said joint appraisers, or, in their default, by the said umpire, shall be binding and conclusive upon the said respective parties; and the said court shall thereupon order and direct such special justice to make and execute a discharge of such apprenticed labourer, in manner before directed, upon payment, nevertheless, by the said apprenticed labourer of such appraised value of his services, and such discharge shall be duly recorded in the register's office of the said Island.

Appraisers to be sworn and to make valuation within ten days, and to certify to court.

If no certificate made within that time, umpire to be sworn, and to certify valuation.

Valuation to be binding and conclusive.

Court thereupon to order special justice to execute discharge.

7. And be it, and it is hereby enacted, by the authority aforesaid, that the appraised value of the services of such apprenticed labourer, by virtue of the proceedings before mentioned, shall be paid into the hands of the public treasurer of the said Island, and shall be the property of the person or persons entitled to the services of such apprenticed labourer, subject, nevertheless, to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such apprenticed labourer himself would have been held upon, under or subject unto, had this Act not been passed; and the said treasurer shall hold the said money, subject to such order as the said court may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such money shall, by the said treasurer, be paid and disposed of in pursuance of and in obedience to any such order.

Approved value to be paid into the hands of the public treasurer.

8. And be it, and it is hereby enacted, by the authority aforesaid, that it shall and may be lawful for the said court to make and prescribe, and from time to time to revoke and alter, as occasion may require, such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction in them hereby vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before them; and the said court shall also establish a moderate and reasonable docket of fees and expenses to be paid and incurred in making such appraisements as aforesaid, which shall in no case exceed in the whole the sum of 5 *l.*; and any appraiser or other person who shall demand or receive for any services by him or her rendered in or about any such appraisement, any greater or other fee, sum of money, advantage or emolument whatsoever than such as shall be authorized by such docket, shall incur a penalty of not less than 10 *l.*, nor more than 30 *l.*, in addition to the amount of any such unlawful fee, sum of money, advantage or emolument so received; which fine shall be received by warrant under the hand and seal of the chief or senior assistant justice of the said court, directed to the provost marshal, or his lawful deputy, in the nature of an execution issuing out of the Court of Common Pleas, upon judgment obtained therein.

Court to make rules for regulating proceedings on appraisement;

and establish docket of fees.

Appraiser demanding or receiving greater or other fee than authorized, to incur a penalty.

9. And be it, and it is hereby enacted, by the authority aforesaid, that if any such appraisement as aforesaid shall have been rendered necessary by any difference of opinion between such apprenticed labourer and the person or persons entitled to his services, respecting the price to be paid for his discharge, the expense of such appraisement shall be borne by the apprentice, and be added to the amount of the valuation, if the services of such apprentice shall be appraised at a sum exceeding or equal to the price demanded by the person or persons entitled thereto; but if the appraised value of such service shall be less than

If services of apprentice appraised at a sum exceeding or equal to sum demanded, apprentice to pay expense of appraisement.

If less, then by person nntitled to service. If appraisement rendered necessary by any other cause than difference of opinion as to price, expense to be equally divided.

than the price previously demanded by the person or persons entitled thereto, then the expense of such appraisement shall be wholly borne and defrayed by such person or persons; and in case any such appraisement shall have been rendered necessary by any other cause than a difference of opinion as to the price to be paid for the value of such service, the expense of the appraisement shall be equally divided between such apprenticed labourer and the person or persons entitled to his services.

Recital of Allowances now given to slaves.

10. And whereas by the laws now in force in this Island, every owner, renter or possessor of slaves, belonging to or worked upon any plantation or estate, is required to provide for and allow to every family of slaves a good and comfortable house, and to provide and give to each and every such slave, according to their age, sex and condition, over and above the portion of land now by law prescribed, a weekly allowance of two pounds of salt fish, or such other provisions as may be equivalent thereto, or such other food as their ages and state of health may require, and to provide and give to each and every such slave an annual allowance of clothing, as follows; viz. six yards of cloth or pennistone, six yards of osnaburgh or other linen of equal strength or value, one hat, and a triennial allowance of one blanket; and to each slave not attached to or worked upon any plantation or estate, a weekly allowance in money or provisions equivalent to the value of two shillings sterling, and an annual allowance of one suit of clothing: And whereas it is desirable that the said respective allowances should be

Same to be continued to apprenticed labourers during time of apprenticeship.

continued to the persons hereafter to become apprenticed labourers; Be it therefore, and it is hereby enacted, by the authority aforesaid, that during the continuance of such apprenticeship as aforesaid, the person or persons for the time being entitled to the services of every such apprenticed labourer shall be, and is and are hereby required to supply him or her with the respective allowances of food, clothing and lodging, to the amount and of the kinds before enumerated and set forth, according to the respective age, sex and condition of such apprenticed labourer.

Portion of land to prædial apprentices to be increased.

11. And whereas it is desirable to increase the portion of land now by law allowed to slaves in this Island, and hereafter to be allotted to apprenticed labourers; Be it, and it is hereby enacted, by the authority aforesaid, that every person in this Island entitled to the service of any prædial apprenticed labourer, or his or her attorney, agent or representative, shall be and they are hereby bound and required, from and after the first day of August now next ensuing, to set apart for every such prædial apprenticed labourer, being of the age of twelve years and upwards, half an acre of land, properly adapted for the growth of provisions, and not more then three miles distant from the place of residence of such labourer; and in respect of every prædial apprenticed labourer under the said age, every such person, or his or her attorney, agent or representative, shall be and they are hereby bound and required to set apart for the father or reputed father or mother of every such infant labourer, one quarter of an acre of like ground, or if such infant labourer shall have no parent in the service of the said employer, then such quarter of an acre shall be set apart for some other apprenticed labourer, who shall be charged with the cultivation of the same for the benefit of such infant, and for the proper cultivation of such ground; and for the raising and securing the crops grown thereon, every apprenticed labourer shall, between the first day of July and the first day of December in each and every year during the term of such apprenticeship, be entitled to fourteen full working days from and out of the five-and-forty weekly working hours hereinbefore mentioned.

Apprentices of the age of twelve years and upwards to have half an acre of land, and not more than three miles distance from place of residence;

under that age, quarter of an acre.

Between 1 July and 1 December in each year, to be entitled to 14 full working days for cultivation thereof.

Where persons shall not have sufficient land, or shall prefer maintaining their apprentices, what allowances to be given.

12. And be it, and it is hereby enacted, by the authority aforesaid, that in all cases where the person or persons entitled to the services of such prædial apprenticed labourers shall not have sufficient land adapted for the growth of provisions, or shall prefer maintaining his, her or their said apprentices by an allowance of provisions, he, she or they shall, in lieu of the allowance of land and time aforesaid, supply to each such apprenticed labourer above the age of ten years, a weekly allowance of seven quarts of corn-meal, or five quarts of rice or flour, or twenty pounds of yams, or twenty-five pounds of sweet potatoes, or thirty pounds of full-grown plantains; and every prædial apprenticed labourer below the age of ten years shall be supplied with one-half of the before-mentioned allowance in each week, which allowance shall be delivered to the mother or guardian of every such infant apprentice.

All provisions supplied to be sound and fit for consumption, and delivered on corresponding day in each week.

13. And be it, and it is hereby enacted, by the authority aforesaid, that all provisions to be supplied to such apprenticed labourers, shall be sound and fit for consumption, and of good average merchantable quality; and the said weekly allowance as aforesaid shall in no case be delivered on Sunday, but shall always be delivered on the corresponding day in each successive week, unless such delivery shall be delayed by accident or other unavoidable cause.

Not lawful to dispossess apprentice of land until crops are gathered.

14. And be it, and it is hereby enacted, by the authority aforesaid, that it shall not be lawful for any person whosoever to dispossess any such apprenticed labourer of any land to be cultivated by him or her, until such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground; and the said crops, when growing upon any such ground, and when severed therefrom, shall be and are hereby declared to be the sole and absolute property of such apprenticed labourer for and in respect of whom such ground shall have been appropriated and set apart.

Apprentice may be compelled to cultivate his grounds.

15. And be it, and it is hereby enacted, by the authority aforesaid, that every apprenticed labourer, in respect of whom any ground shall be so appropriated and set apart, shall and may, by all lawful ways and means, but subject to the rules herein contained respecting the labour of such apprenticed labourers, be compelled by the person or persons entitled to, or in the

the superintendence of his or her labour, to cultivate such grounds, and any such apprenticed labourer neglecting or refusing so to do, shall be liable to the said pains and penalties as are hereinafter provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employers.

Apprentice allowing his house or provision-grounds to fall into decay or bad order, how to be remedied.

16. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall by wilful neglect or indolence during his or her own time, suffer his or her house or provision-grounds to fall into decay and bad order, it shall and may be lawful for the employer of such apprenticed labourer, with the sanction in writing of any special justice to be obtained upon proof before him of such neglect or indolence, to put the house or provision-ground of such apprenticed labourer into proper order for his or her comfort or support, and to deduct an equivalent quantity of labour from his or her own time, not exceeding fifteen hours in any one week.

Neglect or refusal to supply allowances, &c. how punishable.

17. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons entitled to the services of, or in superintendence of the labour of such apprenticed labourer, shall wilfully neglect or refuse to supply such apprenticed labourers with such allowance of food, clothing, lodging, and such other maintenance and allowances as hereinbefore is required, or shall not set apart for every such apprenticed labourer, who is to be maintained by the cultivation of ground, such land, of such quantity and quality, and so situated as hereinbefore is required, or shall dispossess any such apprenticed labourer of any land so allotted to, and by him or her cultivated, before such apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground, or shall neglect or omit to allow to any such apprenticed labourer, for and in respect of whom any ground shall be so appropriated, such portion of time in each year as aforesaid for the cultivation thereof, every person so offending shall, for each and every such offence, incur a penalty of forty shillings of lawful money of Great Britain, for every apprenticed labourer not by him or them so provided as aforesaid; and every such neglect or refusal, dispossession or eviction, shall be deemed a misdemeanor; and in case either of the special justices, on complaint made to him or them, shall deem such complaint well founded, they or either of them shall direct the law officer of the Crown to prosecute the offender for such offence in the Court of King's Bench of this Island; and the judges of the said court may order such part of the penalty recovered, as they may think fit, to be paid to and for the use of the apprentice or apprentices complaining.

Penalty, how to be applied.

Special Justice, how to proceed on complaint of neglect or refusal to make proper allowances, &c. to apprentices.

18. And be it, and it is hereby enacted, by the authority aforesaid, that on complaint of any apprenticed labourer, or upon the information or complaint of any other person or persons, that the provisions of this Act for the maintenance and support of such apprenticed labourer, have not been complied with, it shall and may be lawful to and for the special justice of the district in which such apprenticed labourer may reside, to cause and command such apprenticed labourer, or such other person or persons as such special justice may deem necessary, to be examined in the premises, to be and appear before him; and such special justice shall and may inquire into such complaint, and if necessary shall and may inspect the grounds, clothing and lodging of such apprenticed labourer, and if it shall appear on such complaint or inquiry that the provisions hereinbefore contained for the maintenance and support of such apprenticed labourer have not been complied with, then and in such case such special justice is hereby authorized and strictly required to afford redress to such apprenticed labourer without delay, and is hereby authorized and empowered to issue an order under his hand, requiring the person or persons entitled for the time being to the services of any such apprenticed labourer, to provide, furnish and give the allowances required, and hereinbefore specified, or so much and such parts thereof as to such justice in his discretion may seem meet; and every such person and persons refusing to comply with and obey such order, shall forfeit and pay a sum equivalent to twice the value of the purchase of the allowance so by him, her or them neglected or refused to be made to such apprenticed labourer for or in respect of whom such justice's order shall issue, or equivalent to twice the amount of the loss sustained by such apprenticed labourer, by every such act, omission or neglect as aforesaid.

Power of inspection.

To make order on person entitled to services of apprentice.

Penalty for non-compliance with order.

Upon every estaate a proper hospital to be established.

19. And be it, and it is hereby enacted, by the authority aforesaid, that upon every plantation or estate in this Island, to which apprenticed labourers are attached, there shall be a good and sufficient hospital, of proper size and dimensions, according to the number of apprenticed labourers on such plantation or estate, in a proper and healthy situation, for the reception and cure of all apprenticed labourers who shall complain of sickness, or meet with any accident or injury, or who shall or may, from any infirmity or other cause, require to be received therein; and the employer, manager or attorney, or person for the time being having the charge of such plantation and apprenticed labourers, are hereby respectively required and directed to keep a hospital-book, with the names of the apprenticed labourers so admitted, the dates of their admission, and also of their dismission or death; and in which book shall be inserted, by the medical attendant of the said plantation, the nature of their complaints or diseases, prescriptions and treatment.

Hospital-book to be kept, and medical attendant to enter nature of complaint, prescription and treatment.

Apprentice absenting himself for one hour, without reasonable cause, compelled to serve two.

Not to exceed 15 in the whole in any one week.

20. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall absent himself or herself from his or her employer's service without reasonable cause, for the space of one hour, or any lesser period of time, he or she shall be compelled to serve double the time he or she shall so absent himself or herself from his or her employer's service: Provided always, that such extra time shall not exceed fifteen hours in the whole in any one week.

If more than seven hours and a half, to be punished by imprisonment, &c. not exceeding four days, or stripes not exceeding ten.

21. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall absent himself or herself from his or her employer's service, without the consent of his or her employer, for more then seven hours and a half in any one week, he or she shall, upon conviction thereof before the special justice of the district in which such apprenticed labourer shall reside, be punished by sentence of imprisonment with hard labour, or solitary confinement for any time not exceeding four days, or to any number of stripes not exceeding ten, as such special justice in his discretion shall think the offence deserves; and any apprenticed labourer who shall in like manner absent himself or herself for more than two days in any one week, shall in like manner be punished by sentence of imprisonment with hard labour, or solitary confinement for any time not exceeding one week, or to any number of stripes not exceeding twenty, as such special justice shall in his discretion think the offence deserves; and any apprenticed labourer who shall in like manner absent himself or herself for more than six days in any one week, shall be punished by sentence of imprisonment with hard labour, or solitary confinement for any time not exceeding a fortnight, or to any number of stripes not exceeding thirty, as such special justice shall in like manner think the offence deserving.

If more than two days, by imprisonment, &c. not exceeding one week, or stripes not exceeding 20.
If more than six days, by imprisonment, &c. not exceeding a fortnight, or stripes not exceeding 30.

Apprenticed labourer convicted of performing work indolently, carelessly or negligently, how punishable.

22. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall be convicted before any such special justice as aforesaid of performing his or her work indolently, carelessly or negligently, shall for the first offence be adjudged to labour in his or her employer's service for any time not exceeding fifteen hours in the whole in any one week; for the second offence, to confinement with hard labour for any time not exceeding one week; and for the third or any subsequent offence, to confinement with hard labour for any time not exceeding fourteen days, with or without whipping not exceeding twenty stripes.

Apprenticed labourer in a state of drunkenness, found fighting, or conducting himself or herself in an insolent or insubordinate manner, how punishable.

23. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself or herself in an insolent or insubordinate manner towards his or her employer, or any person in the immediate superintendence of his or her labour, shall for every such offence be liable, upon conviction by such special justice as aforesaid, to imprisonment with hard labour for any time not exceeding one week, or to whipping not exceeding fifteen stripes.

Any labourer who by negligent or careless use of fire shall endanger property of employer, or wilfully ill use cattle, &c. or by negligence expose property of employer to damage, how punishable.
Not to exempt labourer from liablity to such actions or prosecutions as persons of free condition would be subject and liable to.
Provided that apprenticed labourer not to be liable, both under this Act and under such general law.

24. And be it, and it is hereby enacted, by the authority aforesaid, that any labourer who by the negligent or careless use of fire shall endanger the property of his or her employer, entrusted to his or her care, or shall wilfully ill use the cattle or other live stock of his or her employer, or who shall by negligence expose his or her employer's property to any damage or injury, and be convicted thereof before any such special jnstice as aforesaid, shall for each and every such offence be adjudged by such special justice of the peace either to extra labour in his or her employer's service for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty, or to any two or more of such punishments as any such special justice of the peace as aforesaid shall in his discretion think the nature of the offence may appear to require: Provided always, that nothing herein contained shall exempt any such labourer from his or her liability to any such actions or prosecutions as other persons of free condition would be subject and liable to in respect of any such acts by him or her done, committed or omitted; and provided also, that no such apprenticed labourer shall be liable to be so sued or prosecuted both under this Act and under such general laws as aforesaid.

Apprentice convicted of contumaciously disobeying lawful commands of employer, &c. how punishable.

25. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall be convicted before any such special justice of having contumaciously disobeyed the lawful commands of his or her employer, or the person in the immediate superintendence of his or her labour, shall, be liable to any one or more of the punishments in the preceding clause mentioned.

Apprentice appointed to watch by night wilfully neglecting or refusing to appear, or to continue on performance of such duty, how punishable.

26. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer appointed to watch by night by his employer, or by the person in charge of the plantation or estate to which such apprenticed labourer shall be attached, shall neglect or refuse to appear at such time and place as shall be appointed by his employer, or by the person in charge of the plantation or estate to which such apprenticed labourer shall be attached, for the performance of his said duty, or shall neglect or refuse to proceed and continue according to his directions and orders, in the regular and punctual performance of the said duty, every such apprenticed labourer so offending, who shall not prove to the satisfaction of the special justice of the district, that he was prevented by illness, or such other unavoidable accident as shall, in the judgment of the said special justice, be a sufficient excuse, shall, for every such offence, upon conviction before the said special justice, be sentenced to work for the benefit of his or her employer for three extra hours for each offence.

Apprentice sentenced to imprisonment with hard labour may be condemned to work on public roads, &c

27. And be it, and it is hereby enacted, by the authority aforesaid, that whenever any apprenticed labourer shall be by such special justice condemned or adjudged to imprisonment with hard labour, it shall and may be lawful for such special justice to order and direct, if he shall so think proper, that the hard labour which such apprenticed labourer so condemned and adjudged shall be liable to perform, shall be in effectually mending and repairing, widening and cleaning of the public roads, highways and streets of and within the district to which they

are

are required to labour or to which they belong; and for the purposes aforesaid, such apprenticed labourer shall be formed into a penal gang, to work at such times and in such manner as such special justice shall direct and appoint.

and be formed into a penal gang.

28. And be it, and it is hereby enacted, by the authority aforesaid, that no female apprenticed labourer within this Island shall be punished or corrected for any offence by her committed, by the flogging, whipping, scourging or beating her person; but that in all cases aforesaid, where the punishment of whipping is by this Act authorized, the same shall be understood as applying to the cases of males only, and that all the offences in respect of which such punishment may be inflicted on any male offender, shall, when committed by females, be punished by confinement to hard labour or by solitary confinement, to the extent as is hereinbefore provided for.

No female to be punished by whipping.

Offences committed by females, punishable by confinement to hard labour or by solitary confinement.

29. And be it, and it is hereby enacted, by the authority aforesaid, that whenever by the sentence of any such special justice of the peace as aforesaid, it shall become necessary to punish any male apprenticed labourer by whipping, for any offence committed by him against the provisions of this Act, such punishment shall be inflicted on such offender with the like instrument and in like manner as is now used and practised in His Majesty's army.

Males punished by whipping, with the same instrument, and in like manner as in His Majesty's army.

30. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons in this Island entitled to or having an interest in the services of any apprenticed labourer, or any person in the immediate superintendence of his or her labour, shall, upon any pretence whatever, take upon himself or herself to inflict or cause or knowingly suffer to be inflicted on any such apprenticed labourer, any punishment by the whipping, beating, imprisonment or confinement of his or her person, or any other punishment or correction whatever, or if any such person or persons shall wantonly or cruelly cut, wound, maim or mutilate, or keep in confinement any apprenticed labourer, he, she or they shall be liable to be prosecuted for each and every such offence as aforesaid, by indictment at any court of King's Bench to be holden for this Island, and upon conviction shall be punished by fine or imprisonment, or both, at the discretion of the court before whom such offender shall be tried and convicted.

Any person inflicting any punishment on apprenticed labourer, how punishable.

31. And be it, and it is hereby enacted, that no prædial apprenticed labourer shall be compelled or bound to engage in or perform any agricultural or manufacturing labour in the said Island before the hour of six in the morning, or after the hour of six in the evening, but that, save as is hereinafter provided, all prædial apprenticed labourers shall be, and they are hereby declared to be entitled to an entire cessation and intermission of every description of work and labour from the hour of six on each evening until the hour of six in the next succeeding morning.

Hours of labour for prædial labourers.

32. And be it, and it is hereby enacted, that all prædial apprenticed labourers employed in any agricultural or manufacturing labour within the said Island shall be allowed and entitled to an entire intermission and cessation of work and labour from the hour of seven till the hour of eight in the morning, and from the hour of twelve till the hour of two in the afternoon of each and every day throughout the year, provided that the hours of intermission and cessation of labour in the case of prædial apprentices employed in any manufacturing labour may be allowed at any other period of the day, if an interval of not less than three nor more than six hours intervene between such remissions, and if the same be respectively of such duration as aforesaid.

Hours of cessation from labour.

33. And be it, and it is hereby enacted, that it shall be the duty of every such employer or person in the superintendence of the labour of any such apprenticed labourers in this Island, to intimate to the labourers in his employment the commencement and close of the hours of labour hereby established, for which purpose a signal shall be given; and such signal shall be of such a nature as to be distinctly visible or audible to the several prædial apprenticed labourers in the service of or under the superintendence of any such person or persons.

Employer to intimate by signal commencement and close of hours of labour.

34. And be it, and it is hereby enacted, by the authority aforesaid, that no apprenticed labourer within this Island shall be compelled or compellable to labour for the benefit, profit or advantage of his or her employer, or person in the superintendence of his or her labour, or of any person or persons whatsoever, on any Sunday throughout the year, except in work of necessity, or in domestic services, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer, except as aforesaid, be liable to be hindered or prevented from attending any where on Sundays for religious worship at his or her free will or pleasure, but shall be at full liberty so to do, without any let, denial or interruption whatsoever: provided always, that no description of agricultural labour shall be deemed a work of necessity within the meaning or for the purposes of this Act, unless such labour be undertaken to prevent or arrest or remedy the effects of any fire, flood, hurricane or tempest, or other such like casualty.

No labourer compelled to work on a Sunday, except in certain cases.

35. And be it, and it is hereby enacted, by the authority aforesaid, that if the employer of or person in the immediate superintendence of the labour of any prædial apprenticed labourer, shall, by force or fraud, protract the weekly services of such labourer beyond the period by this Act allowed for that purpose, he, she or they shall, upon conviction thereof before such special justice of the peace, forfeit and pay a fine of one shilling for every hour such service shall be protracted; which said fine shall be paid to such apprenticed labourer to and for his use and benefit.

Persons protracting, by force or fraud, weekly services, how punishable.

No labourer compelled to undertake task work without his own consent.

36. And be it, and it is hereby enacted, by the authority aforesaid, that no apprenticed labourer within this Island shall be bound to undertake any task work, except with his or her own free assent to the same, save as hereinafter is excepted.

How agreement for task work to be entered into.

37. And be it, and it is hereby enacted, by the authority aforesaid, that whenever any agreement shall be entered into between any employer of, or person in the superintendence of the labour of any apprenticed labourer, and any prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour by such apprentice in extra hours, such contract shall be reduced into writing by such employer or other person, in the presence of one or more credible witness or witnesses, and entered in a book to be kept for that purpose on the plantation in which such extra labour is to be performed, and which book shall be produced and shown to the special justice of the district, whenever he may give notice to the party in whose possession it may be to produce the same.

No contract to continue in force beyond 14 days, unless with consent of Special Justice.

38. And be it, and it is hereby enacted, by the authority aforesaid, that no contract between any such employer or other person and the prædial apprenticed labourer, for the performance by him or her of any such specific or task work, or for the performance of any labour in extra hours, shall endure or continue in force or be binding upon the parties entering into the same, or either of them, after the expiration of fourteen days from the making thereof, unless such contract shall have been made and entered into by such parties in the presence and with the approbation of such special justice of the peace, or unless having been entered into in his absence, the same shall be confirmed and approved of by him before the expiration of such fourteen days, and every such approbation of any such contract shall by such special justice be attested under his hand in the book so to be kept as aforesaid: provided always, that it shall be the duty of such special justice, before approving of any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourer entering into the same, and that the same had been entered into with his or her free will and consent.

Special Justice approving of contract, to ascertain terms understood by labourer.

In contracts beyond 14 days, terms to be distinctly expressed and set forth.

No contract to continue in force beyond one year.

39. And be it, and it is hereby enacted, by the authority aforesaid, that in every such contract for task work, or for extra service extending beyond the period of fourteen days, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed and set forth: provided always, that no contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

If majority of prædial labourers enter into contract for extra labour, special justice may compel the minority to join in the same.

40. And whereas it may be necessary in certain cases to provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers, of any task work or extra labour which the majority of such labourers shall be willing and desirous collectively to undertake; Be it therefore, and it is hereby enacted, by the authority aforesaid, that whenever the majority of the prædial apprenticed labourers attached to any plantation or estate in this Island shall, with the approbation of such special justice as aforesaid, have entered into any contract with their employer, or person in superintendence of their labour, for the performance of any extra labour or task work, it shall and may be lawful for the said special justice, if required so to do, to order and direct the minority of the said apprenticed labourers to join in and perform such extra labour or task work; and if any such apprenticed labourer shall neglect or refuse to obey such order as aforesaid, he, she or they shall, upon conviction before the said special justice, be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him or her performed in the discharge of the services owing by him or her by law to such his or her employer.

Upon proof of non-payment by employer of hire, special justice to order the same to be paid within a certain period, and if not paid to issue his warrant to levy the same.

41. And be it, and it is hereby enacted, by the authority aforesaid, that upon proof being made to the satisfaction of such special justice of the non-payment by such employer or other person of the consideration stipulated for in any such contract as aforesaid, whether for task work or for extra services, it shall and may be competent for such special justice thereupon to order and direct the same to be paid within a certain period to be by him named for that purpose; aad if the same shall not be paid at the time so named, then it shall and may be lawful for the said special justice to issue a warrant for levying the same, under his hand and seal, in the nature of an execution issuing out of the court of Common Pleas of the said Island, and directed to the provost-marshal or his lawful deputy, who is hereby authorized and required to execute the same at any time of the year, and shall take and receive the same fees thereon as on executions issuing out of the said court.

Apprentice violating terms of contract for task work, how punishable.

42. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall violate the terms of such contract as aforesaid for task work or for extra service, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him or her performed in the discharge of the services owing by him or her by law to his or her employer.

Married woman and infant competent to enter into contracts.

43. And be it, and it is hereby enacted, by the authority aforesaid, that every married woman, notwithstanding her coverture, and every child of the age of twelve years and upwards, notwithstanding his or her infancy, shall be competent to enter into such contracts as aforesaid for task work or for extra service.

44. And

Island to be divided in two or more districts, and one Special Justice to be appointed to each district.

44. And be it, and it is hereby enacted, by the authority aforesaid, that this Island shall for the purposes of this Act, be divided into two or more districts, the respective extents and limits whereof shall be fixed by the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island, by and with the advice of His Majesty's Privy Council of the same, and the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island shall appoint to each of the said districts one of the special justices to be constituted under and by virtue of the said recited Act of the Imperial Parliament, which said special justice shall reside within the district to which he shall be appointed, unless when prevented by sickness or other reasonable cause, to be allowed of by the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island.

Special justice required to sit twice in each week, to hear complaints.

45. And be it, and it is hereby enacted, by the authority aforesaid, that such special justices shall and they are hereby required to attend and sit at their usual residences, or at some other convenient place within their said district, to be for that purpose named and appointed, at least twice in each and every week throughout the year or oftener if need be, in order to hear, investigate and determine all cases, causes and complaints that may be preferred to them; and such special justices shall cause all necessary parties to attend before them by virtue of such process, and shall proceed to hear, investigate and determine in a summary manner all such causes and complaints, according to such and the like modes of proceeding as are adopted for the investigation of criminal matters by His Majesty's justices of the peace in England.

Special Justice to keep a journal of all cases, &c. brought before him.

46. And be it, and it is hereby enacted, by the authority aforesaid, that every such special justice shall keep a journal of all cases, causes and complaints brought before him, in which he shall respectively enter the date of the complaint, the name of the complainant, the substance of the complaint, the names of the witnesses adduced on either side, the substance of the evidence, the decision of the case, whether the decision has been carried into effect, and any general remarks which he may think desirable, which said journal shall be kept in one uniform manner to be prescribed for that purpose by the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island.

Special Justice, at the expiration of every quarter to transmit a duplicate of his journal to Government, with an affidavit that the same has been regularly kept.

47. And be it, and it is hereby enacted, by the authority aforesaid, that such special justices shall respectively, at the expiration of each and every quarter, transmit to the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island, a duplicate of the said journal for the preceding quarter, with an affidavit thereto annexed to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which he the deponent has been engaged, as such special justice, during the quarter to which it refers; and the said Governor, Lieutenant-Governor or Commander-in-Chief shall not be at liberty to pay or draw for the salary of the said justice for such quarter until the said duplicate shall have been actually received by him, verified as aforesaid.

Each of the Special Justices to visit estate in his district once a month, or oftener if need be, to investigate complaints.

48. And be it, and it is hereby enacted, by the authority aforesaid, that each of the said special justices shall once a month, or oftener if required and need be, on certain days to be by him named for that purpose, of which public notice shall be given in the Gazette of the said Island, repair to each estate or plantation situate within his district, cultivated by apprenticed labourers, then and there to take cognizance of all complaints that may be made or brought before him, and shall proceed in the investigation thereof in such and the like manner as if such complaint had been heard and determined at the residence of such special justice in manner before provided.

Persons opposing Special Justices from entering upon estates, or preventing apprentice from resorting to Special Justice to make complaint, how punishable.

49. And be it, and it is hereby enacted, by the authority aforesaid, that every person who shall by force or violence, menace or intimidation, or by any other unlawful means oppose or obstruct any such special justice from entering upon any plantation or estate in the said Island for the purposes aforesaid, or shall by force or menace or other unlawful means oppose or prevent any apprenticed labourer from resorting to or holding communication with any such special justice, for every such offence shall be and be deemed guilty of a misdemeanor, and upon conviction thereof before the court of King's Bench of the said Island shall suffer such punishment as the court in their discretion shall think the nature of the offence deserves.

Special Justice sentencing apprentice to be confined, may order same to take place upon estate.

50. And be it, and it is hereby enacted, by the authority aforesaid, that whenever any special justice shall pass sentence of confinement upon any apprenticed labourer, he may, if he shall see fit, direct that such confinement shall take place upon the plantation to which such apprenticed labourer shall belong or be then working upon.

Special Justice to exercise exclusive jurisdiction between apprentices and their employers.

51. And be it, and it is hereby enacted, by the authority aforesaid, that the special justices to be appointed for this Island, (and no other magistrate or justice of the peace) shall have, exercise and enjoy a sole and exclusive jurisdiction over, and shall solely and exclusively take cognizance of all offences committed, or alleged to have been committed by any apprenticed labourer, or by his or her employer in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers, and the persons respectively entitled to their services: provided that nothing herein contained shall extend or be construed to extend to abrogate or take away the powers by law vested in the supreme courts of record, or to the superior courts of civil and criminal justice in this Island.

Jurisdiction of Supreme Courts preserved.

Apprentice or employer preferring frivolous and vexatious complaints, how punishable.

52. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall prefer a complaint against his or her employer, which shall by such special justice be decided to be frivolous and vexatious, such apprenticed labourer so complaining shall be adjudged by such special justice to work in the service of his or her employer for any time not exceeding in the whole fifteen extra hours in any one week, and if the employer of any apprenticed labourer shall prefer a frivolous complaint against his apprentice, he, she or they shall be adjudged by such special justice to pay a fine not exceeding thirty shillings sterling for the benefit of the party aggrieved.

Apprentice or employer preferring malicious complaint, how punishable.

53. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprentice shall prefer a malicious complaint against his or her employer, it shall and may be competent for such special justice, at the instance of the party charged, to adjudge the complainant to imprisonment with hard labour on the tread-mill for any time not exceeding one month; and if any employer shall prefer a malicious complaint against his or her apprentice, he, she or they shall be adjudged to pay a fine not exceeding five pounds for the benefit of the party charged, which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation or otherwise in respect of such his complaint.

Not lawful for gangs to leave estates to prefer complaints; and when aggrieved, to select some of their number, not exceeding one in twenty, to do so on behalf of the rest.

54. And whereas a practice hath prevailed of gangs of slaves leaving the estates to which they are attached for the purpose of preferring complaints, and such practice hath a tendency to disturb the peace of the Colony, and affords an evil example to the peaceable and well-disposed slaves; Be it therefore enacted by the authority aforesaid, that it shall not be lawful for any gang of apprenticed labourers to leave the estate to which they are attached for the purpose of preferring any complaints to any person or persons whatsoever; but in all cases where such gang may feel themselves aggrieved, they shall select some of their number, not exceeding one in every twenty, and such person or persons so selected shall apply to his, her or their employer for a pass, but in case of refusal may proceed without it, or any molestation or hindrance, to the special justice of the district, and no other person, for the purpose of laying before him any complaint, or making to him any application respecting any matter or thing cognizable by such special justice; and any person or persons who shall by force, menace or intimidation, or any other unlawful means prevent any apprenticed labourer or apprenticed labourers so selected from resorting to such special justice for any such purpose as aforesaid, or from returning to his or her place of abode after having so resorted to any such special justice, shall be deemed and considered guilty of a misdemeanor; provided such apprenticed labourer or apprenticed labourers so selected as aforesaid shall resort to and return from such special justice with due diligence and without any unnecessary loss of time; and such special justice on such complaint or application shall make diligent inquiry into the premises, and afford redress on the grievance being proved, according to the exigency of the case, and in strict conformity with the provisions of this Act; but if it shall appear to such special justice that such complaint or application is without foundation, such special justice shall adjudge the complainant or complainants, or any other apprenticed labourer or labourers that may have been the ringleaders or instigators of such groundless complaints, to work in the service of his, her or their employer, for any time not exceeding in the whole fifteen extra hours in any one week; or if it shall appear to such special justice that the alleged complaint is frivolous, vexatious or malicious, he shall adjudge such complainants or apprenticed labourers to imprisonment with hard labour for any time not exceeding one month.

Any person preventing persons so selected from resorting to Special Justice, guilty of a misdemeanor.

Apprentices to resort to and return from Special Justice with due diligence.

If complaint without foundation, ringleaders or instigators, how punishable.

Each Special Justice authorized to appoint six constables for his district.

55. And be it, and it is hereby enacted, by the authority aforesaid, that each of the said special justices shall be and they are hereby authorized and empowered to nominate and appoint six fit and able-bodied men to act as a police force for the district to which they may be respectively appointed; which said men shall be sworn in as constables, and shall have all such powers and authorities as any constable duly appointed now has or hereafter may have by virtue of any law or statute now made or hereafter to be made, and shall carry into effect and execution all such orders and directions as they may from time to time receive from the special justice of the district to which they may be attached, for preventing and repressing all crimes and offences committed by any apprenticed labourers, and for enforcing obedience to the rules and regulations hereby established, and shall obey all such lawful commands as they may from time to time receive from the special justice of the district to which they may be attached for conducting themselves in the execution of their office.

Their duties.

Special Justices to frame rules and regulations for the government, &c. of such constables.

56. And be it, and it is hereby enacted, by the authority aforesaid, that the said special justices shall from time to time, subject to the approbation of the Governor, Lieutenant-Governor, or Commander-in-Chief of the said Island, frame such orders and regulations as they shall deem expedient, relative to the general government of the men to be appointed under this Act; the places of their residence, the description of their arms, accoutrements and other necessaries to be furnished them, and all such other orders and regulations relative to the said police force, as the said justices shall from time to time deem expedient for preventing neglect or abuse; and either of the said justices may at any time suspend or dismiss from his employment any man belonging to the said police force whom he shall think remiss or negligent in the discharge of his duty, or otherwise unfit for the same; such suspension or dismissal nevertheless to be subject to the confirmation or disallowance of the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island; and when any man shall be so dismissed or cease to belong to the said police force, all powers vested in him by virtue of this Act as a constable, shall immediately cease and determine.

57. And

57. And be it, and it is hereby enacted, by the authority aforesaid, that all summonses warrants, commitments or other orders, to be issued by any such special justice of the peace, in the execution of his duty as aforesaid, shall be executed by one or other of the police constables of his district: provided always, that nothing herein contained shall be construed to prevent such special justice from addressing the same, as occasion may require, to any other constable or constables of the said Island, jointly with or instead of such police constables, as to him may seem requisite.

All summonses, warrants, &c. to be executed by police constables.

Not to prevent Special Justice from addressing the same to any other constable.

58. And be it, and it is hereby enacted, by the authority aforesaid, that any summons, warrants or orders issued by any such special justice within his district, may without any further authority be carried into execution in any part of this Island, though beyond the district of the special justice issuing the same.

Summonses, &c. to be carried into execution in any part of the Island.

59. And be it, and it is hereby enacted, by the authority aforesaid, that no fee of office shall hereafter be levied, demanded or payable within the said Colony, upon, for, or on account, or in respect of the discharge and release of any apprenticed labourer; and if any special justice shall hereafter demand, accept or receive any fee of office for the same respectively, the special justice so offending shall incur and become liable to the payment of a fine, amounting to not less than one pound nor more than five pounds, over and above the amount of the fee so by him received.

No fee demandable for release or discharge of apprentice labourer; special justice demanding same, liable to a penalty.

60. And be it, and it is hereby enacted, that on every plantation the said special justices shall and may appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation, under the directions of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation, who may be found lurking thereon without the knowledge or permission of the proprietor or manager thereof; such apprentice, confined as aforesaid, not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of a special justice cannot be procured within twenty-four hours, it shall and may be lawful for the proprietor or manager aforesaid to order the release of such apprentice so confined as aforesaid after the expiration of twenty-four hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall, and he is hereby required to prefer the complaint on which such apprentice was confined before the special justice when he shall next come upon the estate; and provided that nothing shall be construed to give to any such constable any power or authority over any of His Majesty's subjects except such apprenticed labourers.

Special Justice may appoint one or more apprenticed labourers on each plantation to act as constables, to keep order and to place in confinement any labourer committing any offence.

Apprenticed labourer not to be confined beyond 24 hours, if Special Justice cannot attend within that time.

If discharged, complaint to be preferred when Special Justice next comes on estate.

Such constables not to have authority, except over apprenticed labourers.

61. And be it, and it is hereby enacted, by the authority aforesaid, that all actions and prosecutions to be commenced against any special justice in respect of any act, matter or thing by him done in pursuance of this Act, shall be commenced within six calendar months after the fact committed, and not otherwise, and notice in writing of such action, and of the cause thereof, shall be given to the defendant one calendar month at least before the commencement of the action; and in any such action the defendant may plead the general issue, and give this Act and the special matter in evidence at any trial to be had thereupon; and no plaintiff shall recover in any such action, if tender of sufficient amends shall have been made before such action brought by or on behalf of the defendant; and if a verdict shall pass for the defendant, or the plaintiff shall become nonsuit, or discontinue any such action after issue joined, or if upon demurrer or otherwise, judgment shall be given against the plaintiff, the defendant shall recover his full costs, as between attorney and client, and have the like remedy for the same as any defendant hath by law in other cases; and though a verdict shall be given for the plaintiff in any such action, such plaintiff shall not have costs against the defendant, unless the judge before whom the trial shall be, shall certify his approbation of the action, and of the verdict obtained thereupon.

All actions against Special Justice to be commenced within six months, and notice given in writing one month before commencing same.

Tender of amends.

Costs.

Judge certifying.

62. And be it, and it is hereby enacted, by the authority aforesaid, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace who shall be present at the same, shall give due notice to the parties there present to separate and disperse; and all parties who at the expiration of ten minutes from the said warning shall continue present at any such riotous assemblage, shall on conviction thereof before the court of King's Bench of the said Island, be liable to imprisonment with hard labour for any time not exceeding twelve months.

Any three or more apprenticed labourers committing riot, how punishable.

63. And be it, and it is hereby enacted, by the authority aforesaid, that any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers, or the person in the immediate superintendence of their labour, shall be deemed guilty of an unlawful conspiracy; and every such offender who may be convicted thereof by the court of King's Bench of the said Island, shall be adjudged to confinement with hard labour for any period not exceeding six months, with or without whipping, not exceeding thirty-nine stripes; and any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, or the person in the immediate superintendence of their labour, shall on conviction thereof before the said court as aforesaid, be adjudged to the punishment last aforesaid, or any one of them, as such court shall think the nature of the offence deserves.

Apprenticed labourers agreeing to make resistance or engaged in a combined and open resistance to lawful commands of employer, how punishable.

No apprentice to reside beyond limits of estate, without written consent of employer.

64. And be it, and it is hereby enacted, by the authority aforesaid, that no apprenticed labourer shall from and after the said first of August now next ensuing, reside beyond the limits of the plantation or estate in which he may be then resident, unless with the authority or consent in writing of his or her employer, or the person in the immediate superintendence of his or her labour.

Apprentice found beyond limits of estate, without a written pass (except on way to or from market or church), how punishable.

65. And be it, and it is hereby enacted, by the authority aforesaid, that every apprenticed labourer who shall or may be found beyond the limits of the plantation or estate to which he or she may respectively belong without a written pass from his or her employer, or the person in the immediate superintendence of his or her labour (except such apprenticed labourer may be on his or her way to or from market, or to or from some place of public worship), shall be liable to be apprehended and detained, and shall on conviction thereof before the special justice of the district to which he or she may belong, be adjudged to confinement with or without hard labour for any time not exceeding one week, and if a male to any number of stripes, not exceeding ten.

Person giving any document to enable an apprentice to absent himself from employer's services, how punishable.

66. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons shall grant or give any document to enable any apprenticed labourer to absent himself or herself from his or her employer's service, he or she shall be deemed guilty of a misdemeanor, and shall be tried by the court of King's Bench of the said Island, and on conviction shall suffer such punishment, by fine or imprisonment, or both, as the court in their discretion shall think proper to inflict.

Any apprentice harbouring another, knowing him to be a runaway, or assisting so to do, how to be punished.

67. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer harbouring, receiving or concealing any other apprenticed labourer who shall have run away from his or her employer's service, knowing him or her to be a runaway, or otherwise shall assist or abet such apprenticed labourer wilfully absenting himself or herself from his or her employer's service, he, she or they shall, on conviction thereof before the special justice of the district in which he, she or they may reside, be liable to be punished by hard labour, not exceeding thirty days, or any number of stripes not exceeding thirty, or both, as the nature of the case may require.

Any person enticing an apprentice, knowing him to be runaway, how dealt with.

68. And be it, and it is hereby enacted, by the authority aforesaid, that if any person other than an apprenticed labourer, shall entice away any apprenticed labourer from his or her employer's service, or shall harbour, receive or conceal any such apprenticed labourer, knowing him or her to have run away from his or her employer's service, such person shall be liable to pay to the person entitled to the services of such apprentice at and after the rate of three shillings for each and every day such apprentice shall have been so harboured, with full costs of suit to be recovered by action of debt in any court of record in the said Island.

No apprentice to quit the Island without passport from Governor.

69. And be it, and it is hereby enacted, by the authority aforesaid, that no apprenticed labourer shall quit the said Island without a passport from the Governor, Lieutenant-Governor, or Commander-in-Chief of the said Island, which passport shall not be granted, except the written consent of the employer of such apprenticed labourer shall be first produced to the said Governor, Lieutenant-Governor or Commander-in-Chief of the said Island: provided always, that nothing herein contained shall be construed to prevent any non-prædial apprenticed labourer, registered as a mariner at the office of the special justice of the district he belongs to, and who shall be cleared out as such at the Custom House, from quitting the said Island, in pursuance of such his usual occupation or employment.

Not to prevent apprentice, registered as a mariner, from quitting the Island.

Any apprentice, other than mariner, quitting or attempting to quit, without passport, how punishable.

70. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer other than a mariner, who shall quit or attempt to quit this Colony without such passport first obtained, shall be liable to be prosecuted for each and every such offence in the court of King's Bench to be holden for this Island, and upon conviction shall be punished by imprisonment, with or without hard labour, for any time not exceeding three months, as the court in their discretion shall think the nature of the offence deserves.

All persons removing, or assisting to remove apprentice without passport, how punishable.

71. And be it, and it is hereby enacted, by the authority aforesaid, that all persons removing or assisting to remove any apprenticed labourer, other than a mariner, from this Island in any boat or vessel, without a passport first obtained from the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof before the said court of King's Bench of the said Island, forfeit and pay a fine not exceeding fifty pounds, or shall be imprisoned for any time not exceeding three months: provided always, that nothing herein contained shall be construed to prevent any person aggrieved from proceeding against such offender in a civil action for damages sustained.

Not to prevent any person aggrieved from proceeding against offender in a civil action.

Apprentices convicted of establishing themselves as a distinct community, abandoning and neglecting their duty, how punishable.

72. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourers who shall or may be convicted before the court of King's Bench of the said Island, of having established themselves in any part of the said Island as a distinct community without lawful authority, habitually abandoning and neglecting to perform the duties imposed upon them by law, shall, upon conviction before the said court, be sentenced to imprisonment, with hard labour upon the tread-mill, for any time not exceeding six months; and if a male, to be punished by any number of stripes not exceeding thirty-nine; and it shall and may be lawful for the Governor, Lieutenant-Governor or Commander-in-Chief to cause such community to be dislodged, and if necessary to cause their habitations to be taken down and removed.

73. And

Apprentice absenting himself for seven days or upwards without leave, adjudged a runaway, how punishable.

73. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall absent himself or herself from his or her employer's service without leave for the space of seven days or upwards, shall, on conviction thereof before such special justice, be adjudged a runaway, and shall be sentenced to imprisonment with hard labour, or to solitary confinement, for a period not exceeding three months; and if a male, shall be liable to be punished by whipping, not exceeding thirty-nine stripes.

Apprentice wilfully absenting himself from service of employer, to make satisfaction after expiration of apprenticeship term.

74. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall, during the continuance of the term of his or her apprenticeship, wilfully absent himself or herself from the service of his or her employer, and be thereof convicted before any such special justice, and by which wilful absence the employer of such apprenticed labourer shall be deprived of such apprenticed labourer's services before his or her time of apprenticeship shall be expired, such apprenticed labourer shall, at any time or times thereafter, whenever he or she shall be found, be compelled to serve his or her employer for so long a time as his or her employer shall have been so as aforesaid deprived of his or her services, or to make satisfaction to his or her employer for the loss sustained by such deprivation of his or her services (except so far as such apprenticed labourer shall have made satisfaction for such absence, either out of such extra hours, as hereinbefore provided for, or otherwise); and in case any such apprenticed labourer shall refuse to serve as hereby required, or to make such satisfaction to his or her employer, such employer may complain upon oath to the special justice of the district wherein such employer shall then reside, and such special justice shall issue a warrant under his hand and seal for apprehending any such apprenticed labourer; and such special justice, upon hearing the complaint, may determine what satisfaction shall be made to such employer by his or her apprentice, and such apprentice shall, during the extension of the term of his or her apprenticeship as aforesaid, be subject to all such and the same rules and regulations respecting the work and labour to be by him or her done or performed, and respecting the food and other supplies to be to him or her furnished, as any other apprentice is subject and liable to by virtue of this Act.

Apprentice entering into land without lawful authority to be dispossessed by Special Justice.

75. And be it, and it is hereby enacted, by the authority aforesaid, that if any apprenticed labourer shall, without lawful authority, enter into and take possession of any land in this Island belonging to His Majesty or to any other person or persons, it shall and may be lawful for any special justice, and he is hereby required to dispossess such labourer from such land and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner or owners of such land, or in case such owner shall not, within six months after such seizure, appear and prefer his claim to such land, then the said special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony for the public uses thereof: provided always, that no apprenticed labourer shall be dispossessed of any such land during the remainder of the term of his apprenticeship when he shall have been two years in the undisturbed possession thereof.

Not to be dispossessed when he has been two years in undisturbed possession.

Apprentice taking possession of such land, how punishable.

76. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer taking possession of any such land shall on conviction thereof before any such special justice of the peace as aforesaid, if it shall be made to appear to the satisfaction of such special justice, that such possession was taken fraudulently and with knowledge that the party had no lawful claim to the possession thereof, be liable to be sentenced to imprisonment with or without hard labour for any period not exceeding one month.

Not lawful for apprentice to have possession of gunpowder, guns, &c.

77. And be it, and it is hereby enacted, by the authority aforesaid, that it shall not be lawful for any apprenticed labourer to keep, use or have in his or her possession any gunpowder, guns, swords, pistols or fire-arms of any description whatsoever, or any other offensive weapons, unless with the knowledge and consent of his or her employer or person in the superintendence of his or her labour; and every apprentice so offending shall, on conviction thereof before any special justice, be punished by confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty-nine, as such special justice shall order and direct; and it shall and may be lawful for the employer of or person in the superintendence of the labour of any apprenticed labourer to seize and retain any gunpowder, guns, swords, pistols or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

All apprentices employed as fishermen or mariners to be registered as such, and how punishable if not registered.

78. And be it, and it is hereby enacted, by the authority aforesaid, that all apprentices whose ordinary occupation is on the sea, or as fishermen or mariners, shall be registered as such at the office of one or other of the said special justices, and any apprenticed labourer engaging in such occupation, without being first so registered and obtaining a certificate of such registration, shall on conviction before either of the said special justices, be liable to imprisonment with hard labour for any time not exceeding three months.

Nothing in this Act contained to exempt apprentices from operation of any law or police regulation in force against persons of free condition.

79. And be it, and it is hereby enacted, by the authority aforesaid, that nothing in this Act contained doth or shall extend to exempt any apprenticed labourer from, but that every apprenticed labourer shall be subject to the operation of any law or police regulation which is or shall be in force in this Colony for the prevention or punishment of any offence, such law or police regulation being in force against and applicable to all other persons of free condition.

Apprentices to hold and enjoy property of any description.

80. And be it, and it is hereby enacted, by the authority aforesaid, that it shall and may be competent for any apprenticed labourer in this Island, notwithstanding such his or her apprenticeship, to purchase, acquire, possess, hold, enjoy, alienate, devise and bequeath property of any amount, or of any description, and to bring, maintain, prosecute and defend any action in any court of justice for and in respect of any such property, and to cultivate any land of which he or she may be the proprietor, with or for the growth of any description of produce; any law, usage or custom to the contrary in anywise notwithstanding: provided always, that nothing herein contained shall be construed or deemed to authorize any trespass, or to allow any prædial apprenticed labourer to turn loose or keep, in his employer's property, any horses, mares, mules, asses, cattle, sheep, hogs or goats, without the consent of his said employer being first had and obtained.

Not to authorize keeping horses, mules, cattle, sheep, hogs or goats on employer's property without consent.

Right to the services of apprenticed labourers, how to be transferred.

81. And be it, and it is hereby enacted, by the authority aforesaid, that the right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall pass and be transferable by bargain and sale, contract, deed, conveyance, will, descent, in such and the like manner as the right and title of, in and to any slave or slaves in this Island would have passed or been transferable had this Act not been passed: provided that no such apprenticed labourer shall by virtue of any such bargain and sale, deed, contract, conveyance, will or descent, be subject or liable to be separated from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her.

Labourer not to be separated from wife, &c.

How consent of Special Justice to be executed and attested for transferring service of apprentice from one estate to another.

82. And be it, and it is hereby enacted, by the authority aforesaid, that whenever it shall become necessary to obtain the consent of such special justice or justices of the peace as aforesaid for transferring the services of any prædial apprentice from one estate or plantation in the said Island to another plantation or estate, as is required by the provisions of the said recited Act of the Imperial Parliament, such consent shall be in such form as such special justice or justices shall think necessary for the purpose aforesaid, and shall be executed and attested by him or them in the presence of one or more credible witness or witnesses, and the same shall be entered by such special justice or justices in a book to be kept by him or them for that purpose, and the original or a certified copy of such consent shall be delivered to the person or persons seeking for and obtaining such consent.

Children below the age of six years on 1st August or from after that time may be bound out by Special Justice as apprentices to person entitled to service of mother.

83. And whereas it may happen that children who have not attained the age of six years on the said first day of August now next ensuing, or that children who after that day may be born to any female apprenticed labourer, may not be properly supported by their parents, and that no other person may be disposed voluntarily to undertake the support of such children, and it is necessary that provision should be made for the maintenance of such children in any such contingency; Be it, and it is hereby enacted, by the authority aforesaid, that if any children who on the said first day of August now next ensuing hath not completed his or her sixth year, or if any child to which any female apprenticed labourer may give birth on or after the said first day of August now next ensuing shall be brought before any special justice as aforesaid, and if it shall be made to appear to the satisfaction of any such special justice that any such child is unprovided with an adequate maintenance, and that such child hath not completed his or her age of twelve years, it shall and may be lawful for such justice, and he is hereby required on behalf of such child to execute an indenture of apprenticeship, thereby binding such child as an apprenticed labourer to the person or persons entitled to the services of the mother of such child, or who had been last entitled to the services of such mother, if such person or persons shall be willing to take such child as an apprentice; but in case or it shall be made to appear to such justice that the person or persons aforesaid is or are unwilling to enter into such indenture, or is or are unable or unfit so to do, and properly to perform the condition thereof, then it shall be lawful for such justice, and he is hereby required by such indenture to bind any such child to any other person or persons to be by him for that purpose approved, and who may be willing and able properly to perform such condition; and such indenture shall be respectively executed by such special justice, and the person or persons to whom any such child is about to be apprenticed, in the presence of two or more credible witnesses, and recorded in the office of such special justice, and shall be in the following form; that is to say,

Apprentice to be under age of 12 years at date of indenture.

Form of indenture of apprenticeship.

"This Indenture made the day of in the year of our Lord 18 between *A. B.* esquire, one of His Majesty's justices of the peace of and for the district in the Island of Tobago, by special commission duly constituted and appointed, and by virtue of the powers in that behalf authorizing and requiring me, and of all other powers in me vested, on behalf of a child, of the age of years or thereabouts, of the one part; and *C. D.* of, &c. of the other part; Whereas the said (child) is the infant child of a female prædial apprenticed labourer, attached to the plantation or estate called [name of estate] belonging to or in the possession of the said *C. D.* and situated, &c. [or, as the case may be], is the infant child of a female unattached prædial apprenticed labourer, or a female non-prædial aprenticed labourer, in the employ of the said *C. D.* [or, as the case may be, in the employ of *E. F.* of, &c.]: Now this indenture witnesseth, that in consideration of the covenants hereinafter contained, and on the part and behalf of the said *C. D.* and those hereafter to claim through or under him, to be performed, kept and fulfilled, and by virtue of such power as aforesaid, the said *A. B.*, as such special justice as aforesaid, hath placed and bounden, and by these presents doth place and bind the said the infant child of the said unto and with the said *C. D.* his heirs and assigns, as a prædial apprenticed labourer, and to be attached to the said plantation or estate, called, &c., belonging to the said *C. D.*, as hereinbefore mentioned [or as an unattached prædial

prædial apprenticed labourer, or as a non-prædial apprenticed labourer] and as such well and truly and faithfully to serve and obey the said *C. D.*, and those hereafter to claim through or under him, and diligently attend to the business of him, the said *C. D.*, and those hereafter to claim through or under him, according to the full force, true intent and meaning of a certain statute passed in and by the Parliament of the United Kingdom of Great Britain and Ireland, in the third and fourth years of the reign of His Majesty King William the Fourth, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves,' and according to the full force and effect, true intent and meaning of, and subject to the several rules and regulations respectively mentioned and contained in an Act of the legislature of this Colony, intituled, 'An Act,' [here set out the title of this Act] and bearing date, &c.; and it is hereby expressly declared by the said *A.B.* as such special justice as aforesaid, that the term of the said apprenticeship of the said the child of the said is to be and continue from henceforth until the day of which will be in the year one thousand, &c. when the said will attain his age of years, and no longer: provided nevertheless, that nothing herein contained shall extend or be construed to extend to prevent the said *C. D.*, or those hereafter to claim through or under him, from voluntarily discharging the said from his said apprenticeship at any time before the expiration of the said term, in manner and form hereinbefore limited for the said apprenticeship, nor to prevent the said or any person on his behalf from purchasing his discharge from the said apprenticeship, according to the said statute of the third and fourth of William the Fourth, and the said Act of the day of in the case of other apprenticed labourers; and in consideration of such apprenticeship, and all benefit and advantage incident thereto, and of all and all manner of interest, profit or advantage, claim and demand to be had, gotten or derived therefrom, and of the services, obedience and duty of the said he the said *C. D.* doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said *A. B.*, as such special justice as aforesaid and his successors in office for the time being, in manner following; that is to say, that the said *C. D.* his heirs and assigns, or those hereafter to claim through or under him, shall and will during the continuance of the said apprenticeship of the said well and truly and punctually find, provide and supply, at the costs and charges of him the said *C. D.*, and of those hereafter to claim through or under him, to and for the said as such apprenticed labourer, such amount, quantity and quality of food, clothing, lodging, medicines, medical attendance and such other maintenance and allowances as are in and by the said Act of the day of expressly required and expressed; and also shall and will afford, grant and allow reasonable and sufficient time, and every fit and adequate opportunity for the moral and religious instruction and education of the said during the continuance of the said apprenticeship term. In witness," &c.

84. And be it, and it is hereby enacted, by the authority aforesaid, that no apprenticed labourer during such the time of his apprenticeship as aforesaid, shall be qualified to serve in the militia of this Island, or be compelled or competent to hold any office civil or military in this Island, in the service of His Majesty, his heirs and successors, or possess or enjoy any political franchise within the said Island, nor shall any apprenticed labourer be liable to be arrested or taken in execution or detained in prison, or in any other confinement upon any process issuing out of any court of law of this Island in any civil action against any such apprenticed labourer, or in any civil proceeding depending in any such court to which any apprenticed labourer may be a party, any law, usage or custom to the contrary notwithstanding: provided always, that nothing herein contained shall be construed to exempt any apprenticed labourer from serving in any civil or military capacity when called upon so to do by orders of the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island in the event of invasion, rebellion, or any public disturbance, or to serve as a constable on the estate to which he or they may be attached when appointed so to do by the said special justice, according to the provisions in the 60th clause of this Act.

Apprenticed labourer, during term of apprenticeship, not qualified to serve in militia, &c. or liable to be arrested or taken in execution on civil process.

Not to exempt him from serving in case of invasion, rebellion, or public disturbance, or as constable on the estate to which he is attached.

85. And be it, and it is hereby enacted, by the authority aforesaid, that for the purposes of this present Act the word employer shall be deemed to comprehend, and be a sufficient legal description of the person having the chief superintendence for the time being of the labour of any apprenticed labourers, whether such person having the superintendence for the time being as aforesaid, shall be the master, agent, attorney, manager, overseer or director of such apprenticed labourer.

Word Employer defined.

86. And be it, and it is hereby enacted, by the authority aforesaid, that whenever this Act hath used words importing the singular number or the masculine gender only, it shall be understood to include several matters as well as one matter, and several persons as well as one person, and females as well as males, unless it be otherwise specially provided, or there be something in the subject or context repugnant to such construction.

Rule of interpretation when word importing singular number or masculine gender used.

87. And be it, and it is hereby enacted, by the authority aforesaid, that within the meaning and for the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of this Colony shall be taken to be the Governor thereof.

Word Governor defined.

Persons swearing falsely, how punishable.

88. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons shall wilfully swear falsely touching any of the matters or things required by this Act, or if any person shall procure any other person or persons to make such false oath, then and in those cases such person or persons shall be liable to the pains and penalties to which persons are subject for the offence of wilful and corrupt perjury, or subornation of perjury, by the common or statute law of England.

Fines imposed by this Act, how recovered and levied.

89. And be it, and it is hereby enacted, by the authority aforesaid, that in default of payment of any fine imposed upon any employer by this Act, the same shall be recovered and levied on the goods and chattels of the defaulter by warrant of distress under the hand and seal of the special justice of the district in which such fine may be incurred, and when not otherwise directed shall be paid into the public treasury for the uses of the Colony.

Act not to come into operation till His Majesty's pleasure is known.

90. And be it, and it is hereby enacted, by the authority aforesaid, that this Act or any thing herein contained shall not come into operation, or be of any force or effect until His Majesty's pleasure therein shall be duly signified and proclaimed in this Colony.

— No. 51. —

No. 51.

Tobago.

AN ACT to amend an Act, intituled, "An Act to carry into effect the Provisions of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" and to repeal certain Clauses of an Act, commonly called "the Slave Act," passed on or about the 15th day of August 1829; and to substitute other Clauses in this Act in lieu thereof.—(Passed 29 May 1834.)

Preamble.

WHEREAS by an Act of the Legislature of this Island, intituled, "An Act to carry into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves,'" passed on or about the 2d day of May now last past, it was by the 90th clause thereof enacted, that the effect and operation of the said Act should be suspended until His Majesty should declare and make known his royal pleasure and assent thereto: And whereas his Excellency Major-General Sir Lionel Smith, Governor and Commander-in-Chief in and over the said Island, has been pleased to observe, that the provisions in the said Bill are so closely in accordance with the Act of the British Legislature, that there appeared scarcely any object in retaining the said clause, and has therefore suggested to the Legislature the advantage of expunging the same, so as to allow the Act to come into operation on the 1st day of August next, even if His Majesty's confirmation should not be by that time received: And whereas the Legislature of this Island are desirous of complying with the suggestion of his Excellency the Governor-in-Chief: And whereas it is expedient that the power of inflicting punishment of slaves should be wholly transferred to the magistracy of the said Island; We therefore, your Majesty's most dutiful and loyal subjects, his Excellency Major-General Henry Charles Darling, Lieutenant-Governor in and over the Island of Tobago and its dependencies, the Council and General Assembly of the same, do humbly pray your most Excellent Majesty, that it may be enacted, and be it, and it is hereby enacted, by the authority aforesaid, that the said 90th clause of the above-recited Act shall be and the same is hereby repealed, and that in lieu thereof the said recited Act shall commence and have operation and effect from and after the 1st day of August in the present year, any thing therein contained to the contrary hereof in anywise notwithstanding.

90th clause of the Abolition Act repealed, and the same to come into operation on the 1st August.

250 copies of Abolition Act to be printed.

2. And be it, and it is hereby enacted, by the authority aforesaid, that 250 copies of the said recited Act shall be printed at the public expense, for the use of the Legislature, the courts of law, and for distribution to the public.

20th and 21st clauses of Slave Act repealed.

After 1st of June, no owner, &c. to punish any slave for any offence.

Penalty of 5*l.* to be recovered before any two justices of the peace.

3. And be it, and it is hereby enacted, by the authority aforesaid, that the 20th and 21st clauses of the before-recited Act, commonly called "the Slave Act," shall be and they are hereby totally abrogated and annulled; and from and after the 1st day of June now next ensuing, it shall not be lawful for any owner, renter, possessor or employer, or person or persons in charge of any slave or slaves in this Island, to punish any such slave or slaves for any offence by him or her committed, by the whipping, beating or imprisonment of his or her person, or by any other personal or other correction or punishment whatever, under the penalty of 5*l.* for each and every offence; which said penalty shall be recovered on the oath of one or more credible witnesses before any two justices of the peace of the said Island, who shall be and are hereby authorized to issue a warrant, under their hands and seals, for levying the same, which fine shall be paid into the public treasury for the public uses of the Colony; any thing in any law, usage or custom in this Colony to the contrary hereof notwithstanding.

Slaves guilty of indolence, neglect or improper performance of work, &c. o be punished by two next nearest justices f the peace.

4. And whereas it is necessary that regulations should be provided for the maintenance of good order and discipline among such slave or slaves, and for the prevention and punishment of indolence or the neglect or improper performance of work by any such slave or slaves, and for the prevention and punishment of insolence and insubordination on the part of such slave

slave or slaves towards their owners, masters or employers; Be it, and it is hereby enacted, by the authority aforesaid, that from and after the 1st day of June now next ensuing, that whenever any slave or slaves shall be guilty of any or either of the aforesaid offences, he or they shall be carried before two of the next nearest justices assigned to keep the peace in the said Island, who shall proceed to hear and determine the same in a summary manner on oath, and shall, on conviction thereof, award and sentence such slave or slaves to such punishment, by whipping, imprisonment and hard labour, as they shall think the nature of the case deserves: provided always, that such punishment shall not exceed thirty days' imprisonment, with or without hard labour, or thirty-nine stripes: provided always, that nothing herein contained shall be construed to prevent any person or persons from keeping in confinement any slave or slaves who may have committed any of the offences hereinbefore enumerated, until his or her case can be adjudicated by such justices aforesaid.

Such punishment not to exceed 30 days' imprisonment with or without hard labour, or 39 stripes.

Not to prevent keeping slaves in confinement until his case can be adjudicated.

—No. 52.—

No. 52.

Tobago.

"AN ACT to establish certain Ruls and Regulations for the Classification of those Persons hereafter to become Apprenticed Labourers, and for ascertaining to which Class they shall respectively belong."—(Passed 15 July 1834).

Whereas by an Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," passed on or about the 28th day of August now last past, it is amongst other things enacted, that all persons who should by force and virtue of the said recited Act become apprenticed labourers, should, for the purposes therein mentioned, be divided into three distinct classes, and that such division should be carried into effect in such manner and form, and subject to such rules and regulations, as should for that purpose be established under such authority, and in and by such acts of assembly, ordinances, or orders in Council, as thereinafter mentioned: And whereas it is desirable that the necessary rules and regulations for the classification of the said apprenticed labourers should be established by the legislature of this Colony;

Preamble.

We therefore, Your Majesty's most dutiful loyal subjects, his Excellency Major-General Henry Charles Darling, Lieutenant-Governor in and over the Island of Tobago and its dependencies, the Council and General Assembly of the same, do humbly pray Your most Excellent Majesty, that it may be enacted, And be it, and it is hereby enacted, by the said Lieutenant-Governor, by and with the advice and consent of the said Council and General Assembly of the same, in Session assembled, and by the authority of the same, That all persons who by force and virtue of the said recited Act, or of any Acts of the Legislature of this Island, shall, on the 1st day of August now ensuing, cease to be slaves, and be freed and discharged of and from the obligations of slavery, shall be called and styled apprenticed labourers, and shall be divided into three distinct classes: the first of such class to consist of prædial apprenticed labourers attached to the soil, and comprising all persons who in their state of slavery are now employed or worked upon any plantation or plantations in this Colony belonging to persons entitled to their services; the second of such classes to consist of prædial apprenticed labourers not attached to the soil, and comprising all persons who, in their state of slavery, are employed or worked in agricultural labour upon any plantation or land in this Colony not belonging to persons entitled to their services; and the third of such classes to consist of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes: Provided always, that no person of the age of twelve years and upwards shall be included in either of the said two classes of prædial apprenticed labourers, unless such person shall for twelve calendar months at least next before the passing of the said recited Act have been habitually employed or worked upon any such plantation or lands as aforesaid: And provided always, that no person or persons who shall become freed and discharged of and from the obligations of slavery by force and virtue of the third clause of the said recited Act of the Imperial Parliament, or by the first clause of the Act of the Legislature of this Island, intituled, "An Act to carry into effect the provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies, for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves,'" shall be so styled apprenticed labourers, or be included in either of the said three clauses.

All persons ceasing to be slaves on the 1st August to be styled apprenticed labourers, and to be divided into three distinct classes.

First class to be called prædial attached.

Second class to be called prædial unattached.

Third class to be called non-prædial.

No apprenticed labourer of the age of 12 years and upwards to be included in either of the two first classes, unless employed on plantation or land 12 months prior to the passing of the said Act.

No person being released from slavery by the third clause of the Imperial Act, or by the first clause of the Act of the Legislature, to be called apprenticed labourers.

2. And be it, and it is hereby enacted, by the authority aforesaid, that on the first day of August now next ensuing, or within thirty days thereafter, every person entitled to the services of any apprenticed labourer in this Island, or in the event of his being absent from this Island, then the acting attorney, manager, or other representative of such person or persons, shall respectively make out and deliver on oath to the person now officiating as registrar of slaves for this Island, a schedule or list in writing, subscribed by him, her or them, containing a true and correct list of the names of all apprenticed labourers in his or her service or employ, being of the age of six years or upwards; and shall specify in such schedule or list the ordinary occupation or employment of such apprenticed labourers, and shall distinguish, in reference to each of such apprenticed labourer therein mentioned, to which of the said

All persons entitled to the services of any apprenticed labourer on the 1st August 1834, or within 30 days after, to make a return on oath to the person officiating as registrar of slaves of the number he, she or they may possess.

said foregoing classes he, she or they respectively belong; and public notice shall be given by the said registrar, in such manner as to him shall seem most effectual, of the time and place of giving in the said return; and for the better ascertaining the proper form of such schedule or list as is hereby required to be made, so that no person may pretend ignorance thereof, forms of such schedule or list are contained in the schedule to this Act annexed, marked (A.) and (B.), to which all persons are required, as far as shall be found practicable, to conform; and printed blank copies of the said forms shall accordingly be provided at the public expense by the said registrar, and delivered, gratis, to all persons applying for the same.

Blank forms to be provided at the public expense.

3. And be it, and it is hereby enacted, by the authority aforesaid, that every person making and subscribing such schedule or list, shall personally deliver the same to the registrar, and shall at the same time take the following oath, which the said registrar is hereby empowered to administer; (to wit)

Person making return to deliver the same to the registrar.

"I, *A. B.*, do solemnly swear, that the contents of the schedule or list now by me delivered are true, and that the same contains, to the best of my knowledge and belief, a true and correct account of the usual occupation and employment of each of the apprenticed labourers therein mentioned and set forth. So help me God."

Oath.

4. And be it, and it is hereby enacted, by the authority aforesaid, that if the said registrar shall see cause to doubt the correctness of the said schedule or list, he shall give notice thereof in writing to the party or parties making and delivering such schedule or list, and require him, her or them to appear before him the said registrar at his office in Scarborough, and at such time as he may thereby appoint, to substantiate the accuracy of such schedule or list; and the person or persons to which such notice shall be addressed and given, shall at the time and place therein named attend before the said registrar, and if required shall bring with him any apprenticed labourer respecting whom such doubt as aforesaid may have arisen; and the said registrar shall then proceed to examine on oath if necessary (which oath he the said registrar is hereby empowered to administer), the person and persons making and delivering such schedule or list, and the apprenticed labourer respecting whom such doubt as aforesaid has arisen; and any witness and witnesses who may be adduced by either party respecting the truth of such schedule or list, and shall, if necessary, adjourn such examination from time to time and place to place as he shall think fit; and the said registrar, after due examination, shall either confirm or correct any such schedule or list as he may see fit, giving notice thereof in writing to the parties making and delivering such schedule or list, and to the apprenticed labourer respectively, regarding whom such doubt has arisen of such his decision thereon.

Registrar doubting the accuracy of any return made to him, to give notice to party making such return, and to summon the same before him.
Persons summoned to bring with them apprenticed labourer, respecting whom any doubt may have arisen, to be examined on oath.

Examination to be adjourned, if necessary.

5. And be it, and it is hereby enacted, by the authority aforesaid, that if either the party or parties making and delivering such schedule or lists, or the apprenticed labourer or apprenticed labourers to whom it may refer, shall be dissatisfied with the decision of the said registrar, such party or parties shall and may on his, her or their behalf, and any other person or persons shall and may on behalf of such apprenticed labourer or apprenticed labourers apply by petition to the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island, setting forth the nature of such decision of the said registrar, and objection or objections thereto, and praying relief in the premises; and the said Governor, Lieutenant-Governor or Commander-in-Chief in Council, by and with the advice of his Council, shall thereupon proceed in a summary manner to examine the matter of such petition, and, with the advice of his Council, to make such order thereupon as shall seem just and proper; which order shall be final and conclusive upon the parties.

Persons dissatisfied with decision of registrar to apply by petition to the Governor or Lieutenant-Governor in Council.

Said Governor or Lieutenant-Governor, with advice of his Council, to make order thereon.

6. And be it, and it is hereby enacted, by the authority aforesaid, that as soon as any such schedule or list shall have been duly made and received by the registrar, or as soon as the same shall have been duly corrected as aforesaid, the same shall be by the said registrar, his clerks or assistants, entered and copied in a fair, distinct and legible manner, in a book or set of books to be by the said registrar provided and kept for that purpose.

Corrected list or schedule to be entered by the registrar in books kept for that purpose.

7. And be it, and it is hereby enacted, by the authority aforesaid, that whenever any question shall arise respecting the class to which such apprenticed labourer belongs, the certificate of such registrar, by him subscribed, and the copies and extracts from the said books of the registration of such apprenticed labourer shall be received and taken as conclusive evidence of the matter so certified, and the said registrar shall be entitled to demand and receive for every such certified copy or extract the sum of 1*s.* 6*d.* sterling, if the said copy or extract shall not exceed or relate to above the number of 20 apprenticed labourers additional, and every person or persons shall have free access to the said office to examine the said schedules or lists, and the book or books of registry in the said office, on paying the registrar 4*s.* sterling for every search.

Doubts arising as to which class an apprenticed labourer may belong, to be settled by reference to registrar's books.
Evidence of the same to be conclusive.

8. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons shall wilfully neglect and refuse to make and deliver such schedule or list required by this Act, or in making any such schedule or list, shall wilfully neglect and omit to return in such schedule or list the name of any apprenticed labourer or labourers, which by this Act they are required to return, or if any person or persons shall wilfully neglect or refuse to attend the said registrar to substantiate any such schedule or list, when summoned by him for that purpose, he, she or they shall forfeit for every such apprenticed labourer, so wilfully neglected or omitted as aforesaid, and for every such wilful neglect to attend as aforesaid, the sum of 5*l.* of lawful money of Great Britain, to be applied to the public uses

Persons neglecting to deliver such schedule, or wilfully omitting the name of any apprenticed labourer, or refusing to appear before the registrar, when summoned, to be liable to a penalty of 5*l.*

uses of the Colony, which said penalty shall be levied by warrant under the hand and seal of the said registrar, directed to the provost marshal of the said Island, or his lawful deputy, in the nature of an execution issuing out of the court of Common Pleas of the said Island, who is hereby required to execute the same at any time of the year; and it shall and may be lawful for the said registrar, in the event of the wilful absence of any such person or persons, after having been duly summoned as aforesaid, to proceed and decide any such question that may arise respecting the correctness of any such schedule or list so to be made and delivered, as though the party or parties had attended before him.

Same to be levied by warrant to be directed to provost marshal.

Registrar to decide any question when parties summoned do not appear.

9. And be it, and it is hereby enacted, by the authority aforesaid, that if any person entitled to the services of any apprenticed labourer within this Colony shall have omitted to make his, her or their return within the time hereinbefore for that purpose limited; and if such person entitled to the services of any apprenticed labourer shall, within six months next after the expiration of the period aforesaid, apply to the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island in Council, and make it appear to his satisfaction that such omission was not wilful, but arose from accident or some unavoidable impediment from the neglect of some person or persons, other than the true and absolute owner, planter or possessor of the said slave or slaves, and shall then produce his, her or their schedule or list, and make oath before the said Governor, Lieutenant-Governor or Commander-in-Chief in Council, of the correctness of the same, it shall and may be lawful for the said Governor, Lieutenant-Governor or Commander-in-Chief in Council, to make an order in writing, by him subscribed, and addressed to the said registrar, commanding him to receive and register any such schedule or list, as if the same had been delivered in due time, which order the said registrar is hereby required to obey.

Persons omitting to make return within the time limited, to apply to Governor or Lieutenant-Governor in Council within six months after the time limited.

Governor or Lieutenant-Governor in Council to allow persons to make return as of due date, and registrar to receive the same.

10. And whereas upon the said 1st day of August now next ensuing, when slavery is to cease in this Island, the office of registrar of slaves will cease to exist, unless continued for a certain time for the purposes of this Act; Be it therefore, and it is hereby enacted, by the authority aforesaid, that upon, from and after the said 1st day of August now next ensuing, the person who, on the 31st day of July, shall be the registrar of slaves within this Colony, shall, at the like rate of salary he now enjoys, continue to hold the office of registrar, for the purposes of receiving such transcripts as aforesaid, and of entering the same into such books as aforesaid, and for other the purposes hereinbefore required, until the 1st day of August, which will be in the year 1835, and no longer.

Person acting as registrar of slaves, on 31st July 1834, to continue for the space of one year from that date.

11. And be it, and it is hereby enacted, by the authority aforesaid, that if any person or persons taking any oath required by this Act shall swear falsely, or if any person shall procure any other person or persons to make such false oath, then and in those cases such person or persons shall be liable to the pains and penalties to which persons are subject for the offence of wilful and corrupt perjury, or subornation of perjury, by the common or statute law of England.

Persons swearing falsely, how punishable.

12. And be it, and it is hereby enacted, by the authority aforesaid, that from and after the 1st day of August in the present year 1834, the Act, intituled, "An Act to establish a Public Registry of all Slaves in the Colony of Tobago," and passed on or about the 8th day of February 1817; and also an Act, intituled, "An Act to amend an Act, intituled, 'An Act to establish a Public Registry of all Slaves in the Colony of Tobago,'" and passed on or about the 4th August 1818, shall be and the same are hereby respectively repealed, abrogated and annulled.

Act for the registering of slaves, passed in 1817, and amended Act, passed in 1818, repealed.

13. And be it, and it is hereby enacted, by the authority aforesaid, that this Act shall commence and come into operation on the first day of August now next ensuing.

Act to come into operation 1st August 1834.

14. And be it, and it is hereby enacted, by the authority aforesaid, that 250 copies of this Act be printed at the public expense, for the use of the Legislature and the public.

250 copies to be printed for the use of the public.

SCHEDULE (A.)

Tobago, 1st August 1834.

THE RETURN of *A. B.* for the Plantation of *C. D.*, in the parish of Saint , for the total number of all Apprenticed Labourers of the age of six years and upwards, usually worked or employed thereon or attached thereto.

NAMES.		Employment.	Prædial Attached.	REMARKS.
Males.	Females.			

Sworn before me, this day of August 1834, to be a true and distinct account, according to the Act in such case made and provided.

(signed) *H. Y.*, Registrar.

(signed) *A. B.*

TOBAGO.

Appendix (B.)

Colonial Laws. No. 52.

SCHEDULE (B.)

Tobago, 1st August 1834.

THE RETURN of *A. B.*, of the town of, or of the parish of *C. D.*, of the total number of all prædial unattached Labourers, or non-prædial Labourers, of the age of six years and upwards [as the case may be] to whose services he, she or they may be entitled [as the same may be.]

NAMES.		Employment.	Prædial attached.	Non-Prædial.	REMARKS.
Males.	Females.				

Sworn to before me, this day of August 1834, to be a true and distinct account, according to the Act in such case made and provided. (signed) *H. Y.*, Registrar.

(signed) *A. B.*

No. 53.

Tobago. —No. 53.—

AN ACT to authorize the temporary appointment of Special Magistrates, for the purpose of giving effect to the Provisions of an Act of the Legislature of this Island, intituled, "An Act to carry into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves:'"—(Passed 29 July 1834.)

Preamble.

WHEREAS by an Act of the Imperial Parliament of Great Britain and Ireland, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it is amongst other things enacted, that it should and might be lawful to His Majesty to issue, or to authorize the Governor of any such Colony, in the name and on the behalf of His Majesty, to issue under the public seal of any such Colony, one or more special commission or commissions to any one or more person or persons, constituting him or them a justice or justices of the peace for the whole of any such Colony, or for any parish, precinct, quarter or other district within the same, for the special purpose of giving effect to that present Act, and to any laws which might, in manner thereinafter mentioned, be made for giving more complete effect to the same: And whereas by the forty-fourth clause of an Act of the Legislature of this Island, intituled, "An Act to carry into effect the Provisions of an Act of the Imperial Parliament of Great Britain and Ireland, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves,'" it is enacted, that this Island should, for the purposes of that Act, be divided into two or more districts, the respective extents and limits whereof should be fixed by the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island, by and with the advice of His Majesty's Privy Council of the same; and the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island should appoint to each of the said districts one of the special justices, to be constituted under and by virtue of the said recited Act of the Imperial Parliament, which said justice should reside within the district to which he should be appointed, unless when prevented by sickness or other reasonable cause, to be allowed of by the Governor, Lieutenant-Governor or Commander-in-Chief of the said Island: And whereas his Excellency the Lieutenant-Governor of this Island has not yet received any notification of the appointment of any special magistrates for this Island, nor has his Excellency been authorized to issue a special commission to any person or persons in this Island, for the special purpose of giving effect to the said recited Acts: And whereas it is absolutely expedient and necessary, as well to secure the peace and tranquillity of the Island as to give full and ample effect to the provisions of the said recited Acts, that some persons in the said Island should be temporarily appointed to perform the duties attached to the situation of special magistrate:

And whereas doubts have arisen whether his Excellency the Lieutenant-Governor can legally make any such appointments, and in order to remove such doubts, we, your Majesty's most dutiful and loyal subjects, his Excellency Major-General Henry Charles Darling, Lieutenant-Governor in and over the Island of Tobago and its dependencies, the Council and General Assembly of the same, do humbly pray your most Excellent Majesty that it may be enacted; And be it, and it is hereby enacted, by the said Lieutenant-Governor, by and with the advice and consent of the said Council and General Assembly, in Session assembled, and by the authority of the same, that from and immediately after the passing of this Act, it shall and may be lawful for his Excellency the Lieutenant-Governor of this Island,

That it may be lawful for his Excellency the Lieutenant-Governor to issue, under the public seal, one or more com-

Island, in the name and on the behalf of His Majesty, to issue under the public seal of this Island, one or more special commission or commissions to any one or more person or persons in the said Island, constituting him or them, until the arrival of the persons nominated or to be nominated special justices as aforesaid, a justice or justices of the peace for the whole of the said Island, or for any parish, precinct, quarter or other district within the said Island, for the special purpose of giving effect to the provisions of the before-mentioned Acts of the Imperial Parliament, and of the Legislature of this Island, and to any laws which may hereafter be passed for giving more complete effect to the said Acts respectively.

Commission or commissions to any one or more person or persons in this Island, to act as special magistrates until the arrival of the person or persons appointed by His Majesty.

2. And be it, and it is hereby further enacted, by the authority aforesaid, that every person to or in favour of whom any such commission may be issued, shall, by force and virtue thereof, and without any other qualification, be competent to act as a justice of the peace within the limits prescribed by such his commission, for such special purpose as aforesaid, and shall have, exercise and enjoy the same powers, privileges and authorities as he or they could or might have exercised and enjoyed had he or they been appointed under the immediate authority of His Majesty, under and by virtue of the said Acts of the Imperial Parliament, and of the Legislature of this Island; any thing in the said Acts, or either of them, to the contrary hereof in anywise notwithstanding.

Every person to whom such commission may be issued, to act as a justice, shall have, exercise and enjoy the same powers and authorities as he or they could or might under the immediate authority of His Majesty.

3. And be it, and it is hereby further enacted, by the authority aforesaid, that the said commission or commissions, so to be issued as aforesaid, shall endure and continue during the pleasure of His Majesty, and no longer.

Commission so issued to continue during the pleasure of His Majesty.

TRINIDAD.

TRINIDAD.

No. 54.

Trinidad. —No. 54.—

AN ORDINANCE, enacted by the Lieutenant-Governor of Trinidad, with the advice and consent of the Council of Government thereof, for the purpose of carrying into effect the division of Apprenticed Labourers into classes, as prescribed and required by an Act of the Imperial Parliament, passed on the 28th of August 1833, for the Abolition of Slavery throughout the British Colonies.

(L. S.) G. F. HILL.

WHEREAS by an Act passed in the 3d and 4th years of His Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it was among other things enacted, that from and after the 1st day of August 1834, all persons who in conformity with the laws then in force in His Majesty's Colonies respectively, should on or before the 1st day August 1834 have been duly registered as slaves in any such Colony, and who on the said 1st day of August 1834 should be actually within any such Colony, and who should by such registries appear to be on the said 1st day of August 1834 of the full age of six years or upwards, should by force and virtue of the said Act, become and be apprenticed labourers, and that all such apprenticed labourers should be divided into three classes, the first of such classes consisting of prædial apprenticed labourers attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands belonging to their owners; the second of such classes consisting of prædial apprenticed labourers not attached to the soil, and comprising all persons who, in their state of slavery, were usually employed in agriculture, or in the manufacture of colonial produce, or otherwise upon lands not belonging to their owners; and the third of such classes consisting of non-prædial apprenticed labourers, and comprising all apprenticed labourers not included within either of the two preceding classes; and that such division should be carried into effect in such manner and form, and subject to such rules and regulations, as should by any Ordinance or Order in Council for that purpose be established and made.

3 & 4 Will. IV. cap. 73.

1. Be it therefore, and it is hereby enacted and ordained, by his Excellency the Right honourable Sir George Fitzgerald Hill, baronet, colonel of the Londonderry regiment of militia, Lieutenant-Governor and Commander-in-Chief in and over the said Island and its dependencies, by and with the advice and consent of the Council of Government thereof, and by the authority of the same, that for the purposes aforesaid every person who shall at any time between the 1st and the 31st day of January 1834, be resident in the said Island, and who shall be in possession of any plantation slave or slaves within the said Island or its dependencies, whether as proprietor, mortgagee, trustee or receiver, manager or attorney, whatever their title trust or interest therein may be, or who then shall own or possess any slave or slaves whatsoever within the said Island or its dependencies, whatever his or her tenure of or title to the same may be, shall respectively make and deliver upon oath to the registrar of slaves of the said Island, at his office in the town of Port of Spain, true and correct lists or returns in writing and in duplicate in the form hereto annexed, marked (A.), subscribed by him, her or them, containing the registered names of each and every slave in his, her or their possession, or under his, her or their control, management or direction, at the time of delivering such list or return; and such person or persons shall distinguish in such lists or returns to which of the before-described classes each slave when an apprenticed labourer will belong, and for this purpose shall place against and opposite to the name of each prædial attached

Every owner of slaves shall, between the 1st and 31st January 1834, deliver upon oath to the registrar of slaves a return in duplicate, in the form annexed, of all slaves in his possession, distinguishing in such return to which class each slave, when an apprenticed labourer, will belong, and shall place opposite to the name of each prædial attached slave, P. A.; of each prædial unattached, P. U.; and of each non-prædial slave, N.P.

slave the letters P. A., of each prædial unattached slave the letters P. U., and of each non-prædial slave the letters N. P.

Every person making such return to take the following oath:

2. And it is hereby further enacted, by the authority aforesaid, that every person making or subscribing such returns or lists shall personally deliver the same either to the said registrar or to some other person that shall by him be appointed and deputed to receive such lists or returns, and shall at the same time take the following oath, which the said registrar, or any person to be by him appointed and deputed as aforesaid, is hereby empowered and required to administer; (that is to say)

Form of oath.

"I, A. B. [name the deponent] do solemnly swear, that the list or return now by me delivered contains, as I verily believe, a just, true and full account of the names and numbers of all the slaves now attached or belonging to or worked upon the plantation therein named [or belonging to the owner or owners therein named,] and I do further swear that the slaves therein named are now alive, and that the letters set opposite and against the respective names of the said slaves denote the class to which each individual belongs, and that the distinctions therein made of all slaves above the age of twelve years correspond with the occupations usually pursued for twelve months next preceding the 28th day of August 1833 by each slave therein named, and that the said list or return is made by me according to the best of my knowledge and belief truly and without fraud, deceit or evasion. So help me God."

And any person who shall be convicted of swearing falsely shall incur and suffer such punishment as by the laws in force in this Colony may be inflicted on any person guilty of wilful and corrupt perjury.

Registrar to compare returns, and if in any case he shall see cause to doubt the accuracy of the return, to appoint a time and place at which the owner shall attend him to substantiate the accuracy of such return.

3. And be it further enacted, by the authority aforesaid, that the said registrar, on the receipt of such lists or returns, shall proceed to correct the same, and shall carefully compare such lists or returns with the former registries of the slaves named therein; and in case the registrar shall see cause to doubt the accuracy of any such return or list, he shall and he is hereby authorized to appoint a time and place, and to require the owner or owners or other party or parties making any such return or list to attend before him to substantiate the accuracy of such return or list; and at the time and place so to be appointed, the person to whom such notice as aforesaid shall be given and addressed, shall attend before the said registrar, and, if required, shall produce any slave respecting whom any such doubt may have arisen, and thereupon the said registrar shall proceed without delay to examine on oath the person making such list or return, and the slave respecting whom any doubt has arisen, and any witnesses who may be adduced on either side, respecting the truth of such return or list; and the said registrar may adjourn such examination from time to time; and the said registrar shall and he is hereby authorized to confirm or to correct such return or list as to him shall seem fit, giving notice thereof to the party making such return, and to the slaves, respectively, of such his decision.

Registrar to examine the owner and the slave and witnesses, and to confirm or correct such return, giving notice to the owner and the slave of such his decision.

Either party, if dissatisfied with the registrar's decison, may apply to Judge of Court of First Instance by petition, and the Judge shall hear and determine.

4. And it is hereby further enacted, by the authority aforesaid, that in case the party making such return, or the slave or slaves to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may on his own behalf, and the registrar may on the behalf of such slave, apply to the chief, or any other judge of the Court of First Instance of Civil Jurisdiction in such Colony, by petition, setting forth the nature of such decision and the objections thereto, and the judge to whom any such petition may be preferred shall proceed in a summary way to hear and to decide upon the same, and his decision shall be final and conclusive.

Judges of the Court of First Instance to make all necessary rules.

5. And it is hereby further enacted, by the authority aforesaid, that the judges of the said court of First Instance of Civil Jurisdiction shall, and they are hereby authorized to make and establish all necessary rules for regulating the proceedings upon every such petition as aforesaid, in the manner which may be most conducive to method, punctuality and despatch.

When return confirmed or corrected, registrar to affix in the book of registry, to the name of each prædial attached, the letters P. A.; of each prædial unattached, the letters P. U.; and of each non-prædial, N. P.

6. And it is hereby further enacted, by the authority aforesaid, that when and so soon as any return or list shall be confirmed or corrected by virtue of the proceedings aforesaid, it shall be the duty of the registrar of slaves to affix or to cause to be affixed in the books of slave registry, to the entry of the name of each slave duly returned for registration in the year 1834, the initials or letters corresponding to the class to which each slave shall by such list or return appear to belong; that is to say, there shall be affixed to the entry of the name of each prædial attached slave, the letters P. A.; of each prædial unattached slave, the letters P. U.; and of each non-prædial slave, the letters N. P.

When entries made in books of registry, registrar to subscribe lists with his name, to retain one of such lists to be deposited among the Records of the Court of First Instance, and to return the other to the Person making such lists.

7. And it is hereby further enacted, that so soon as such entries as aforesaid shall have been duly made in the said books of registry, and shall have been duly compared by and corrected with the said lists, the registrar shall and he is hereby required to subscribe such lists with his name, and to retain one of such lists to be deposited among the records of the Court of First Instance of Civil Jurisdiction, and the other list shall be given and returned to any person or persons making such lists or returns.

When registry corrected, registrar to verify the correctness thereof before the Governor.

8. And it is hereby further enacted, that when the slave registry shall have been so corrected as aforesaid, the registrar shall verify upon oath before the Governor for the time being that he has duly and accurately compared the several lists and returns made into his office, under the provisions of this Ordinance, with the books of registry in his office, and that the said

said books of registry contain a true and faithful record of all those matters and things required by this Ordinance to be done and performed, according to the best of his knowledge and belief.

9. And it is hereby further enacted by the authority aforesaid, that on or before the 31st day of July 1834, the slave registry so corrected as aforesaid shall be deposited amongst the records of the Court of First Instance of Civil Jurisdiction, and in case at any time any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or an extract thereof, duly certified by the escribano or registrar of the said court, who is hereby authorized to make and grant the same, shall be taken as conclusive evidence of the class to which such apprenticed labourer belongs; and the escribano or registrar shall be entitled to demand and have the following fees; that is to say, for each and every certificate so granted by him as aforesaid, which shall contain any number of names from one to ten inclusive, the sum of 4 *s.* 4 *d.* sterling, and 2½ *d.* sterling for every additional name above ten.

On or before 31st July, 1834, registry to be deposited among the Records of the Court of First Instance, and when any question shall arise respecting the class to which any apprenticed labourer belongs, such registry shall be taken as conclusive evidence of the fact.

10. And it is hereby further enacted, by the authority aforesaid, that any person who shall neglect or omit to make and deliver the list or return before mentioned, or to take and subscribe the oath hereinbefore set forth, or to attend the registrar, whether as party or witness, when summoned by him for any of the purposes herein mentioned, shall incur a penalty of not more than 10 *l.*, nor less than 20 *s.*; and in the event of the wilful absence of any party, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended before him.

Any person neglecting or omitting to make the return or to attend registrar when summoned, shall incur a penalty of not more than 10 *l.* nor less than 20 *s.* and in the event of wilful absence of any party, registrar to proceed and decide.

11. And it is hereby further enacted, by the authority aforesaid, that all fines or penalties which shall be incurred under this Ordinance shall be sued for and recovered in the Court of Complaints of this Island, and that the whole amount of such penalties shall accrue to and be for the use of His Majesty.

All fines and penalties under this Ordinance to be recovered in Court of Complaints, and to be for the use of His Majesty.

Passed in Council this 24th day of December 1833.

Philip D. Souper, Colonial Secretary.

(A.)

Trinidad.

List of Slaves of [estate, in the district of as the case may be] in the possession of as [proprietor, manager or attorney.]

List of Families.

NAMES.	SURNAMES.	DESCRIPTION.
Family of Manning:		
John,	Manning,	P. U.
William,	Manning,	P A.
Peggy,	Manning,	N. P.
Family of Upton		
Jack,	Upton,	P. A.
Alick,	Upton,	P. U.
Zabet,	Upton,	N. P.
General List of Male Slaves:		
Tony,	Williams,	P. A.
Thomas,	Jones,	P. U.
Henry,	Long,	N. P.
General List of Female Slaves:		
Madlain,	Harper,	N. P.
Jeanne,	Hanky,	P. U.
Diana,	Sampson.	P. U.

Insert in this column, opposite the name of every prædial attached slave, the letters P. A.; of every prædial unattached, P. U.; and of each non-prædial slave, the letters N. P.

—No. 55.— No. 55.

Copy of ORDER in COUNCIL, dated 5th June 1834, for giving effect in the Island of Trinidad to the Statute 3d & 4th William the Fourth, c. 73., for the Abolition of Slavery.

At the Court at St. James's, the 5th day of June 1834:

Present, The King's most Excellent Majesty in Council.

Trinidad.

Whereas by a certain Act of Parliament passed in the third and fourth year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies;

Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves," it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected, and for prescribing the form and manner in which and the solemnities with which the purchase by any such apprenticed labourer or his or her discharge from such apprenticeship without, or in opposition, if necessary, to, the consent of the person or persons entitled to his or her services, shall be effected, and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of such appraisement shall in each case be paid and applied, and in what manner and form and by whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded: And that it is also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers, during their term of apprenticeship, from the Colonies to which they may respectively belong: And that it will also be necessary for the protection of such apprenticed labourers as aforesaid that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance and such other maintenance and allowances as they are by the said Act declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws at present existing in any such Colony may not in the case of slaves have made any regulation or any adequate regulation for that purpose: And that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same: And that it is necessary, in those cases in which the food of any such prædial apprenticed labourers as aforesaid may either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour: And that it may also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers; and that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same; but that it may be necessary by such regulations in certain cases to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate in the distribution and apportionment amongst the whole body of such labourers of any task-work which the majority of such body shall be willing and desirous collectively to undertake: And that it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire: And that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services: And that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid shall be made on behalf of such children as aforesaid; and respecting the registry and preservation of all such indentures: And that it is also necessary that provision should be made for ensuring promptitude and despatch, and for preventing all unnecessary expense, in the discharge by the justices of the peace holding such special commissions as in the said Act mentioned of the jurisdiction and authorities thereby

thereby committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of the said respective Colonies into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts: And that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties: And that such regulations as aforesaid could not without great inconvenience be made except by the respective Governors, Councils and Assemblies, or other local legislatures of the said respective Colonies, or by His Majesty, with the advice of His Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; it is therefore enacted and declared in and by the said Act, that nothing therein contained extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of His Privy Council, of any such Acts of General Assembly, or Ordinances, or Orders in Council as may be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: Provided nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order which shall be in anywise repugnant or contradictory to the said recited Act or any part thereof, but that every such enactment, regulation, provision, rule or order shall be and is thereby declared to be absolutely null and void and of no effect.

Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the Island of Trinidad, it is hereby ordered by His Majesty, by and with the advice of His Privy Council, that the several rules and regulations contained in the twelve chapters hereunto subjoined and annexed, and which twelve chapters are and shall be taken to be part of this present order, shall extend to and be in force within the Island of Trinidad and the dependencies thereof, upon, from and after the 1st day of August in this present year 1834.

And the Right Hon. Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions accordingly.

(signed) *C. C. Greville.*

CAP. I.—*On the Judicial and Ministerial Agency to be employed.*

1. The Colony of Trinidad shall be divided into not less than five judicial districts.

2. The Lieutenant-Governor shall by proclamation define, and, as occasion may require, shall alter the limits of such districts.

3. One special justice, at least, shall be appointed to each of the before-mentioned districts.

4. In each district shall be set apart one or more tract or tracts of land, which, with the buildings to be erected thereon, shall be called the Police Settlement or Police Settlements of the District.

5. Every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district.

6. It shall be lawful for the special justice or special justices of each district to license in such district places of safe custody and correction, situate at convenient distances from each other.

7. The Lieutenant-Governor shall appropriate for the formation of the police settlements any waste lands of the Crown which may be situate conveniently for that purpose; and in districts where such Crown lands cannot he found, shall, by exchange or purchase, procure the lands wanting for the purpose.

8. At the first formation of any such police settlement, the members thereof, assisted by such hired labourers as may be indispensable, shall be employed in the erection of temporary buildings for their own occupation; such buildings to be hereafter superseded by more permanent buildings, to be erected by the means subsequently mentioned.

9. At each police settlement shall be erected a house of correction.

10. Until permanent police settlements shall be formed and the buildings requisite for that purpose erected, it shall be lawful for the Lieutenant-Governor, with the advice and consent of the Legislative Council, to procure and provide, by hire or otherwise, suitable buildings to be occupied temporarily as police settlements.

11. At each police settlement shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.

12. Every such police settlement, place of safe custody and correction, shall be placed under the general charge of the special justices of the district, and under the immediate superintendence of a special justice of the district, to be selected by the Lieutenant-Governor for that purpose, and who shall be called a superintending special justice, and shall reside thereat or in the immediate vicinity thereof.

13. Each police settlement shall consist of no less than one serjeant and five privates, all being able-bodied men, between the ages of 20 and 50 years.

14. The serjeant and privates of each police settlement shall be appointed by the Lieutenant-Governor, and shall be liable to be removed by him for bad conduct or inefficiency.

15. The serjeants and privates shall be liable to be suspended from office by the superintending special justice or justices of the district, subject to the Lieutenant-Governor's confirmation or disallowance of such suspension.

16. In addition to the police force stationed at each police settlement, the superintending special justice shall appoint and swear in such persons in their respective districts, as they shall think fit, to act as constables. Nothing herein contained shall prevent an apprenticed labourer from being appointed, sworn in, and acting as a constable.

17. The superintending special justices shall, once in each quarter, respectively make to the Lieutenant-Governor a report of the effective strength and condition of the police force at each settlement; and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

18. The Lieutenant-Governor shall from time to time, by and with the advice of the Legislative Council, frame and publish all necessary rules for the internal discipline of the said police settlements, and of the said places of safe custody and correction; for the clothing, arming, supporting and remunerating the serjeants and privates of the said police; for remunerating the said constables; for securing the due performance, by the said police and constables, of their respective duties; for the employment of the penal gang and also of the serjeants and privates of the said police when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. And all rules so framed and published shall be transmitted for His Majesty's approbation, and shall, until disallowed or altered, remain in full force.

19. It shall be the duty of the serjeant and the privates to carry into execution such orders as they shall receive from the special justice for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

CAP. II.—*On the procedure to be observed by the Special Magistrates in the exercise of their Jurisdiction.*

1. Every superintending special justice shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Lieutenant-Governor.

2. Every such superintending special justice shall one day in each week or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him.

3. Every plantation in each district upon which ten or more apprenticed labourers shall be employed shall be visited by a superintending or other special justice once in each fortnight, or oftener if need be, who shall there take cognizance of such cases as may be brought before him, whether such cases shall relate to apprenticed labourers employed on that plantation or to any any other apprenticed labourers.

4. Every such special justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which he may think desirable.

5. All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Lieutenant-Governor.

6. At the end of each quarter the special justice shall transmit to the Lieutenant-Governor a duplicate of his journal for the preceding quarter, with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such special justice, during the quarter to which it refers.

7. On receiving any complaint, it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over to, the complainant, by whom it shall then be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

9. Upon taking any complaint, to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue, if necessary, a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed marked (A.), and the summons in the form annexed marked (B.)

10. The warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the justice is to proceed in the first instance by summons, if necessary.

11. In cases in which it may be necessary to adduce witnesses in support of or in answer to any such complaint, the justice shall issue a summons, if necessary, to every such witness, in the annexed form, marked (C.)

12. At

12. At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the justice shall, in the presence of all parties, or of such of them as being summoned shall attend in pursuance of such summons, first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

13. The justice may from time to time adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such commitment or bail shall be in the annexed forms, marked (D.) and (E.)

14. At the close of such proceedings, the justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand.

15. By any such decision the justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any lawful compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial for the imputed offence.

16. If the complaint shall be dismissed, the justice shall, in such his written decision, state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

17. If any such complaint shall be so dismissed as frivolous and vexatious, the justice may adjudge the complainant, if a labourer, to work in the service of his employer, for any time not exceeding in the whole 15 extra hours in any one week, or to any number of stripes not exceeding 15; or if the complainant be the employer, the justice may adjudge each employer to the payment of a penalty for the use of the labourer, of not less than 10*s.* sterling, and not greater than 5*l.* sterling.

18. If any such complaint shall be so dismissed as malicious, it shall be competent to the justice, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour, for any time not exceeding one month, or to any number of stripes not exceeding 30; or, if the employer of any such labourer, to a fine not less than 40*s.* sterling, and not greater than 10*l.* sterling, for the benefit of the party charged; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation or otherwise, in respect of such his complaint.

19. If the justice shall, by such his decision, convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious, or a malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (F.) (G.)

20. If such magistrate shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (H.)

21. Upon any such conviction as aforesaid by such special justice, he shall forthwith issue a warrant for the execution thereof.

22. All summonses, warrants, commitments and other orders, so to be issued by any such justice as aforesaid, shall be executed by the police officers of his district; such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with or instead of such officers of police, as to him may seem requisite.

23. Any summons, warrant or order, issued by any such special justice within his own district, may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

24. If any person summoned by any such justice as a witness, shall not appear in obedience to such summons, or appearing shall refuse to be sworn or examined, or to answer any question proposed to him by such justice in relation to the matters depending before him, it shall be lawful for such justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest or commitment shall be in the forms annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Lieutenant-Governor and Legislative Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the several districts within the Colony, or of any one or more of such districts; or that they impede or interefere with the prompt and effective execution of the law, the Lieutenant-Governor, with advice and consent of the Legislative Council, shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

26. It shall be lawful for the Lieutenant-Governor to assign to such one or more of the special justices as he shall select for that purpose, the following duties; namely, to examine into the quarterly journals hereby directed to be transmitted by the special justices to the Lieutenant-Governor; to visit the judicial districts throughout the whole or any part of the Colony, and to inspect the police settlements and places of safe custody and correction belonging to such districts; and to examine into the state of the police force, and of the prisoners in the houses of correction and places of safe custody, and of the penal gangs in such districts, and generally to ascertain how far the rules hereby established, or to be established, under the provisions herein contained, are duly observed, and to report to the Lieutenant-Governor, at such times and in such manner as the Lieutenant-Governor shall direct, upon the several matters aforesaid.

27. If any suit or action shall be commenced against any special justice, in respect of any act, matter or thing by him done by virtue and in pursuance thereof; and if the court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

28. If in any such suit or action such justice shall, at any time before final judgment, tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred; and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit, that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

29. No suit or action shall be brought against any such justice in respect of any matter or thing by him done under or in pursuance hereof, unless the same shall be commenced within six months after the cause of action occurred.

CAP. III.—*On the Division of Apprenticed Labourers into their respective Classes.*

1. By a day to be appointed for that purpose, the registrar of slaves shall deliver to every owner of slaves, a list of the slaves appearing in the registry to belong to him; for which a fee of 2 *s.* only shall be charged.

2. By a time to be fixed for the purpose, every such owner of slaves shall return such list to the registrar, distinguishing in reference to each slave therein mentioned to which of the three classes he belongs.

3. To every such return shall be annexed an affidavit to the effect that the distinctions therein made correspond with the occupations usually pursued for 12 months next preceding the date of the Act by each of the slaves to whom such returns may refer.

4. If in any case the registrar shall see cause to doubt the accuracy of the return, he shall appoint a time and place at which the owner shall attend him to substantiate the accuracy of such return.

5. At the time and place so to be appointed the person to whom such notice shall be addressed shall attend such registrar, and if required shall bring with him any slave respecting whom any such doubt may have arisen.

6. The registrar shall then proceed to examine the person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return; and may, if necessary, adjourn such examination from time to time.

7. The registrar shall then either confirm or correct any such return, as he may see fit, giving notice to the party making such return and to the slaves respectively, of such his decision.

8. If either the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may on his own behalf, and the registrar may on the behalf of such slave, apply to the chief or to any other judge of the superior court in such Colony, by petition, setting forth the nature of such decision and the objections thereto.

9. The judge to whom any such petition may be preferred shall proceed in a summary way to hear and to decide upon the same, and his decision shall be final and conclusive.

10. The judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition, in the manner which may be most conducive to method, punctuality and despatch.

11. When such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry the letters P. A.; of each prædial unattached slave the letters P. U.; and of each non-prædial slave the letters N. P.

12. During the continuance of the apprenticeship, the slave registry, so corrected as aforesaid, shall be deposited amongst the records of the superior courts of the Colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

13. Any person neglecting or omitting to make the return or the affidavit before mentioned, or to attend the registrar when summoned by him for that purpose, shall incur a penalty of not more than 10 *l.* nor less than 20 *s.*: and in the event of the wilful absence of any such person, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended.

CAP. IV.—*On the Maintenance of the Apprenticed Labourers.*

1. It shall be the duty of every employer of prædial apprenticed labourers, within the third week of the month of September of each year, to deliver or cause to be delivered to the special justice of the district in which such prædial apprenticed labourers are resident, a written declaration in the form annexed, marked (L.), specifying whether it is the intention of such employer, during the current year, to maintain his prædial apprenticed labourers by the cultivation of ground, to be to them appropriated for that purpose, or by an allowance of provisions.

2. That every employer who shall, by such declaration as aforesaid, propose to maintain his prædial apprenticed labourers by an allowance of provisions, shall be and is hereby bound and

and required to supply to such prædial apprenticed labourers such amount of provisions, and of such kind, as by the clause next hereinafter contained are directed to be supplied to non-prædial apprenticed labourers above the age of 10 years.

3. Every employer shall be and is hereby bound and required to maintain his non-prædial apprenticed labourers, and also his prædial apprenticed labourers, until such written declaration shall have been so made and delivered by him as aforesaid, by an allowance of provisions, and to supply such provisions to the amount and of the kinds following; that is to say, each and every apprenticed labourer, above the age of 10 years, shall receive in each week not less than six pints of wheaten or rye-flour or rice, or nine pints of corn-meal or farine of manioc, or seven pounds of biscuit, or 50 full-grown plantains, or 21 pounds of yams or sweet cassada, or sweet potatoes, or eddoes, or tanniers, and three pounds and a half of good salted cod fish, commonly called salt fish; and to all apprenticed labourers under the age of 10 years one-half of the above allowance.

4. All provisions so to be supplied to the apprenticed labourers in the Colony of Trinidad, shall be sound and fit for consumption, and of good average merchantable quality.

5. The apprenticed labourers to whom such provisions shall be supplied, shall also be provided by and at the expense of their employers, with the means of preserving the same from week to week, and of properly preparing the same for human food.

6. Every employer of prædial apprenticed labourers, who shall by such declaration as aforesaid propose to maintain such prædial apprenticed labourers by the appropriation of ground, to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every prædial apprenticed labourer so to be maintained half an acre of land, properly adapted for the growth of provisions, and not more that two miles distant from the place of residence of such prædial apprenticed labourer.

7. Every such employer shall be and is hereby bound and required to supply every prædial apprenticed labourer, for whom any such ground shall be so appropriated, with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such prædial apprenticed labourer in the occupation thereof.

8. It shall not be lawful for any person whomsoever to dispossess any prædial apprenticed labourer of any land so cultivated by him or her, until such labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

9. The crops, when growing upon any such ground and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the prædial apprenticed labourer, for and in respect of whom such ground shall have been appropriated and set apart.

10. Every prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart for his support, shall, out of the annual time during which such prædial apprenticed labourer is by the said recited Act required to labour, after the rate of 45 hours per week, as aforesaid, be allowed such number of hours, not being fewer than four hours and a half per week, and not being more than seven hours and a half per week, as the Lieutenant-Governor, with the advice and consent of the Legislative Council, shall, by rules to be framed for that purpose, determine; which rules shall be duly transmitted for His Majesty's approbation, and until disallowed or altered shall remain in full force.

11. If any employer of prædial apprenticed labourers within the said Colony of Trinidad shall neglect or omit to sign and deliver, in manner and within the time hereinbefore mentioned, such written declaration as aforesaid, he or she shall incur a penalty of 2 *l.* for such omission or neglect in respect of the first week in which the same shall occur, with additional penalties of 4 *l.* in the second week, 6 *l.* in the third week, and so on in arithmetical progression in respect of each additional week during which such neglect shall be continued; and if any employer or manager of apprenticed labourers shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times as he is hereinbefore required to supply the same, or shall not provide such apprenticed labourers with the means of preserving such provisions from week to week, or with the means of properly preparing the same for human food, every employer shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied, or for the preservation and preparation of which such means as aforesaid ought to have been provided, which last-mentioned penalties shall accrue to and be for the benefit of the apprenticed labourers injured by any such omission or neglect; and if any such employer of prædial labourers shall not set apart for every prædial apprenticed labourer who is maintained by the cultivation of ground such land of such quality and quantity and so situate as hereinbefore is required, or shall neglect or omit to supply any such prædial apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such prædial apprenticed labourer of any land by him or her cultivated, until such prædial apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such prædial apprenticed labourer by every such act, omission or neglect, which penalty shall go and be applied to and for the use and benefit of the prædial apprenticed labourer so injured; and if any such employer of prædial apprenticed labourers shall neglect or omit to allow to any prædial apprenticed labourer, for or in respect of whom any ground shall be so appropriated, such number of hours as aforesaid in each week for the cultivation thereof, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10*s.*, which shall go and be applied to and for the benefit of the prædial apprenticed labourers injured thereby, the number of such penalties being equal to the number of prædial apprenticed labourers affected by such offence, multiplied by the number of the days on which such offences may have been repeated.

12. It is and shall be the duty of every employer of apprenticed labourers within the said Colony once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required to deliver to every such apprenticed labourer, for his or her use, either in the month of January or in the month of June in each and every year, the following articles, (that is to say):—

To every male apprentice labourer above the age of five years:

One felt hat, one Scotch bonnet, one cloth wrapper or jacket, two red flannel or oznaburgh or check shirts, two pairs of cloth, oznaburgh, or duck or sheeting trowsers, and one knife.

To each and every female apprenticed labourer above the age of five years:

One felt hat, one cloth wrapper, two neck-kerchiefs, two linen or cotton shifts, two dowlas or oznaburgh petticoats and one pair of scissars. Also, to every apprenticed labourer one tin pan or pannekin annually, one blanket every two years, and one iron pot every three years, or oftener if necessary.

13. All the articles so to be supplied to such apprenticed labourers aforesaid, shall be of good average merchantable quality.

14. If any employer of apprenticed labourers in the said Colony shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any apprenticed labourer under his or her management, such articles of clothing and household furniture as are hereinbefore referred to, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

15. Every employer of apprenticed labourers within the said Colony shall be, and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot, at the least, above the ground; and every employer who shall neglect or omit so to supply any such apprenticed labourer with such bedstead, or such means of sleeping above the ground as aforesaid, shall, for every such neglect or omission, incur and become liable to a fine 5*s.*, in respect of each and every apprenticed labourer, which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

16. Every person in the said Colony being the employer of 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity once at the least in each fourteen days; and it shall be the duty of such medical practitioner, and he is hereby authorized and required to keep a journal of the health of such body of apprenticed labourers, so placed under his medical superintendence, in which journal he shall, once in each fourteen days, record what is the general state of health of such body of apprenticed labourers, and shall also enter the name of each apprenticed labourer then labouring under sickness, distinguishing such apprenticed labourers as are thereby disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the sick; and it shall be the duty of every such medical practitioner once in each fortnight to deliver a copy of the entries so made by him in his journal to the employer of such apprenticed labourers, which employer shall be and is hereby required to supply such apprenticed labourers with such medicines or nourishments, and to allow to such apprenticed labourers such relaxations of labour as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of apprenticed labourers shall be and are hereby suspended; and every such medical practitioner shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any such superintending special justice, to produce to such justice his journal; and in case of any acute or dangerous disease of any apprenticed labourer, the employer of such apprenticed labourer shall and is hereby required to employ, at his own costs and charges, a medical practitioner for the care and medical treatment of such apprenticed labourer.

17. If any such employer of apprenticed labourers as aforesaid in the said Colony, or if any such medical practitioner as aforesaid shall refuse, neglect or omit to do or perform any matter or thing which such employer or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment, nourishment or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall, for and in respect of every such offence, incur and become liable to a fine of not less than 2*l.* or more than 20 *l.*

18. Every apprenticed labourer who, on account of any disease, the medical practitioner shall deem it necessary to confine to the hospital, or to any apartment thereof for the purpose of cure, shall be bound, and if necessary may be compelled to submit to such hospital regulations as shall be sanctioned by a superintending special justice of the district in which such apprenticed labourer shall be resident.

CAP. V.—*On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their non-performance.*

1. As regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, it shall be lawful for the Lieutenant-

Lieutenant-Governor, with the advice and consent of the Legislative Council, to make such regulations in respect thereof, as may appear to them best adapted to promote the interests both of the apprenticed labourers and their employers, and to frame and publish rules and ordinances for that purpose, which shall be duly transmitted for His Majesty's approbation, and which until disallowed or altered, shall remain in full force.

2. Subject to the provision lastly hereinbefore contained, and subject also to the deduction of the time hereinbefore directed to be allowed to prædial apprenticed labourers for the cultivation of their provision grounds, every prædial apprenticed labourer shall be bound and obliged to work and labour for seven hours and a half in each and every day in the year (Sundays and holidays hitherto allowed by law to the labouring population excepted) in the service and for the benefit of his employer.

3. For every hour in which any labourer shall absent himself from his employer's service without reasonable cause, he shall be compelled to serve two extra hours, and so in proportion for every portion of time greater or less than an hour, provided that such extra hours shall not exceed fifteen in the whole in any one week.

4. Any apprenticed labourer absenting himself without reasonable cause for more than seven and a half hours in any one week, shall be adjudged a deserter.

5. Any apprenticed labourer absenting himself without reasonable cause for two days during one week, shall be adjudged a vagabond.

6. Any apprenticed labourer absenting himself without reasonable cause for more than six days in any one week, shall be adjudged a runaway.

7. The reasonableness of the cause of absence shall in each case be decided by the special justice.

8. Apprenticed labourers adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding fifteen; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding thirty.

9. Any apprenticed labourer convicted of performing his work indolently, carelessly, or negligently, shall for the first offence be adjudged to labour in his employer's service for any time not exceeding fifteen hours in the whole in any one week; or in case such labourer be a non-prædial labourer, to whipping not exceeding fifteen stripes; for the second offence, if within two calendar months, to confinement with hard labour for any time not exceeding one week; for the third or any subsequent offence, if within two calendar months of the first offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding twenty stripes.

10. Any labourer who by the careless use of fire shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer intrusted to his care, or who shall ill use the cattle or other live stock of his employer, or who shall by wilful negligence expose his employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the justice, either to extra labour in his employer's service for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty lashes, or to any two of such punishments: Provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or omitted, although no such labourer shall be liable to be so sued or prosecuted, both under this order and under such general law as aforesaid.

11. Any apprenticed labourer who shall contumaciously disobey the lawful commands of his employer shall be liable to any one or any two of the punishments last aforesaid.

12. Any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping not exceeding thirty-nine stripes.

13. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, shall, on conviction, be adjudged to the punishments last aforesaid, or any one of them.

14. Any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer or any person in the immediate superintendence of his labour, shall, for every such offence, be liable on conviction to imprisonment with hard labour for any time not exceeding one week, or to whipping, not exceeding fifteen stripes.

15. Provided always, that no woman shall be subject to be punished by whipping for any offence by her committed; but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks. The stocks to be employed forthat purpose shall all be according to one general model, to be sanctioned by the Lieutenant-Governor, and no female shall for any offence by her committed be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days on the whole for any one offence.

16. All the offences aforesaid shall be inquired of by the magistrates having special commissions, and not by any other justice of the peace. But any such special magistrate may, if he shall see occasion, refer any such case for trial to the superior court of the Colony.

CAP. VI.—*On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their non-performance.*

1. If the employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of 1*s.* in respect of every hour which such service shall be protracted.

2. It shall be the duty of every such employer to intimate to the labourers in his employment, the commencement and the close of the legal hours of labour; for which purpose, a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved by the special justice of the district.

3. No apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

4. Every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall, by such employer, be reduced into writing and entered in a book to be kept for that purpose on the plantation; which book it shall be the duty of the special justice to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

5. No contract between the employer and the prædial apprenticed labourer, for the performance of any such specific or task work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such 14 days. And every such approbation of any such contract shall, by such special justice, be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the special justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7. In every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. No contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. Upon proof being made, to the satisfaction of such special justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice and he is hereby authorized to award execution against such employer for the amount of such consideration; and if the same shall not be paid within one week next after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be respectively in the forms annexed, marked (M.) and (N.)

10. Such execution and attachment as aforesaid shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell so much of the produce, utensils and other chattels as may be found upon such plantation as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any apprenticed labourer violating the terms of such contract as aforesaid, for task-work or for extra service, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to such his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra service.

13. If any employer of any apprenticed labourer, or any person who, as manager or otherwise, exercises the authority of the employer over any apprenticed labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall by way of punishment commit any assault upon his person, such employer, or other person, shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5 *l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

14. In any such case as last aforesaid, it shall be competent to any such apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before any court having jurisdiction in the premises. If any such employer, or other person, shall be convicted before any court of competent jurisdiction of any cruelty towards his apprenticed labourer, or if any such employer, or other person, shall be twice convicted of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship by order of the court before which such conviction shall be had.

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CAP. VII.—*On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.*

1. If any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace who shall be present at the same shall cause a flag or some other conspicuous signal to be exhibited as a warning to all persons there present to separate and disperse quietly.

2. All persons who, at the expiration of 10 minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment, with hard labour, for any time not exceeding 12 months.

3. No prædial attached apprentice labourer shall reside beyond the limits of the plantation on which he may be resident on the 1st of August next, unless either by the authority of his employer or with the consent in writing of the special justice of such district.

4. Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special justice of the district, shall be liable to be apprehended and detained and brought before a special justice; and unless such labourer shall make it appear to the satisfaction of such special justice that he or she, when so found, was employed upon his or her lawful occasions, such labourer shall, on conviction, be adjudged a vagabond and punished accordingly.

5. If it shall be made to appear to the satisfaction of any special justice that any apprenticed labourers have, without lawful authority, established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall cause any such community to be dislodged, and, if necessary, shall also cause their habitations to be taken down and removed.

6. Any labourer convicted of having been a member of any such community shall be liable to imprisonment, with hard labour, for any term not exceeding six months, and, if a male, to whipping by any number of stripes not exceeding 39.

7. If any labourer shall, without lawful authority, enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any special justice to dispossess such labourer from such land, and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony.

8. The summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

9. The special justice may further adjudge any apprenticed labourer, unlawfully taking possession of such land, to imprisonment, with hard labour, for any time not exceeding three months, if it should be made to appear to his satisfaction that such possession was taken fraudulently and with knowledge that the party had no lawful claim to such possession.

10. No apprenticed labourer shall quit the Colony except with a passport from the Lieutenant-Governor, which passport shall not be granted except with the written consent of the employer.

11. Any labourer quitting or attempting to quit the Colony without such passport shall be liable to imprisonment, with hard labour, for any term not exceeding six months.

12. All persons whose ordinary occupation is on the sea, or on any navigable stream, as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation, without being first so registered, shall be liable to imprisonment, with hard labour, for any time not exceeding three months.

13. All vessels and boats not registered under the Navigation Acts shall be registered at the office of the special justice of the district, with whom shall be entered the description of the vessel or boat, the name of the owner, and the place at which the same is usually moored.

14. No person shall keep a vessel or boat so registered, except by a license from the Lieutenant-Governor.

15. All licensed owners of such boats or vessels shall be bound to moor them, when not actually afloat, at the place or places mentioned in such license.

16. All unlicensed vessels and boats shall be liable to seizure and confiscation; and all other vessels and boats moored at any place not mentioned in the license shall be liable to detention until the owner thereof shall have paid a fine of not less than 20 *s.* nor more than 5 *l.*

17. All persons removing or assisting to remove any apprenticed labourer from the Colony in any boat or vessel, without a passport from the Lieutenant-Governor, shall be liable to a penalty of 50 *l.*, or to imprisonment for any time not exceeding one month.

CAP. VIII.—*On the Dissolution of the Apprenticeship by Contract or Appraisement.*

1. Subject to the regulations hereinafter made, any person, being the employer of any apprenticed labourer in the said Island of Trinidad, may, by his or her last will, or by deed under his or her hand or seal, at his or her pleasure, discharge any such apprenticed labourer, so far as relates to the interest of every such testator or grantor, and that every such discharge shall,

shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further, or otherwise, be valid and effectual in the law for the perpetual discharge of any such apprenticed labourer: Provided nevertheless, that no person having a partial or temporary interest in any apprenticed labourer, may, to the extent of such interest, effect his or her discharge, gratuitously, unless all other persons having a partial, future or reversionary interest in such apprenticed labourer, shall consent or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

2. And, in order to prevent the fraudulent discharge of apprenticed labourers incompetent from age or disease to earn their own living, it is further ordered, that in case any such deed of discharge shall be executed gratuitously and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the special justice for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice that such apprenticed labourer is under the age of 14 years, or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty in the penal sum of 50 *l.*, with a condition thereunder written for the defeazance thereof, if such apprenticed labourer shall be properly fed, clothed and maintained until the time when the term of apprenticeship would have expired if such discharge had not been made; and no such gratuitous discharge shall be valid and effectual in the law until such bond as aforesaid shall be duly executed.

3. Provided nevertheless, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator, the apprenticed labourer so discharged shall be under the age of 14 years, or above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estste of every such testator shall be liable to, and chargeable with, the maintenance of such apprenticed labourer, as fully as if the said testator had in his or her lifetime executed such bond as aforesaid.

4. And, to prevent ignorant apprenticed labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is further ordered and declared, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in the said Colony, to contract with such apprenticed labourer, through the agency of any such special justice as aforesaid, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge of the said apprenticed labourer, at a price to be agreed upon between the said employer and the said special justice respectively; and in case of any such contract, it shall be the duty of the said special justice, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge has good right and title in the law, and is competent to effect the same; and it shall also be the duty of the said special justice, without fee or reward, to prepare, in every such case, the proper deed of discharge, which shall in all cases be executed in the presence of and attested by the said special justice, or some proper person to be especially appointed by him to be such witness thereto; and every such deed being so executed shall, by such special justice, be enrolled in the Supreme Court of Civil Justice in and for the said Colony of Trinidad, within one calendar month next after the date and execution thereof; and in case any such deed shall not be so enrolled by the said special justice, within the said period of one calendar month, the said special justice shall incur and be liable to the payment of a fine of not less than 10 *l.* nor more than 50 *l.*

5. And to provide for the discharge of apprenticed labourers desiring to obtain the same by purchase, in cases where the employers of such apprenticed labourers may be unwilling or unable to contract for such discharge, it is hereby further ordered, that if the employer of any apprenticed labourer in the said Colony of Trinidad, or any person having any interest in any such apprenticed labourer, shall be unwilling to effect his or her discharge, or shall, by reason of any mortgage or settlement, or lease or charge upon or interest in such apprenticed labourer being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprenticed labourer; or if the employer, or any other person having a charge upon or interest in any such apprenticed labourer shall be a minor, or a married woman, or idiot or lunatic; or if the real employer of any such apprenticed labourer shall be absent from the said Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the said Colony, wherein the right to the service of such apprenticed labourer shall or may be in controversy; or if the employer of any such apprenticed labourer shall demand, as the price of his or her discharge, a greater sum of money than may appear to the said special justice to be the fair and just value thereof; then, and in each and every of the cases aforesaid, the chief civil judge of the said Colony, on application to him for that purpose made by the said special justice, shall issue a summons under his hand and seal, requiring the employer of such apprenticed labourer to appear before him at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice in the public Gazette of the said Colony, of the time and place appointed for the purpose aforesaid; and in such notice, all persons having or claiming to have any title or interest to or in the services of the apprenticed labourer proposed to be discharged, either in their own right, or as the agents, guardians, attornies, trustees or representatives of any other person, shall be required to attend and prefer such claims.

6. At the time appointed for any such meeting as aforesaid, the chief civil judge of the said Colony, in the presence of the said special justice, and also in the presence of the employer

employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer, shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer, or other persons claiming any interest in the services of the apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by the said special justice, or in case it shall be made to appear to the said chief civil judge that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor, or a married woman, or idiot or lunatic, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is absent from the said Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice in such Colony wherein the right to the services of such apprenticed labourer is in controversy, then, and in every such case, the said chief civil judge shall require the special justice and the employer of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services for the remainder of such apprenticeship, and the said judge shall himself nominate an umpire between such appraisers; but if such employer being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

7. The appraisers so to be nominated as aforesaid, shall be duly sworn by and before the said chief civil judge, to make a fair and impartial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged, and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to the said chief civil judge under their hands and seals; and in case such joint certificate shall not be so made and delivered to the said judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the Supreme Court of Civil Justice in and for the said Colony.

8. Provided nevertheless, that if it shall be made to appear to the said judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said judge to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said judge in manner aforesaid, shall be to all intents and purposes binding and conclusive: Provided that such second or any subsequent valuation may in like manner be set aside by any such judge on the grounds aforesaid, until a valuation is made not open to any such objection.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled.

10. Upon or within three calendar months next after the enrolment in the Supreme Court of Justice of the said Colony of any such valuation as aforesaid, it shall be lawful for any special justice as aforesaid of such Colony, out of any monies to be supplied to him for that purpose, by the apprenticed labourer proposed to be discharged, to pay to the treasurer of the said Colony, the appraised value of the services of such apprenticed labourer, taking a receipt in writing from such treasurer for every such payment; and the chief civil judge of the said Colony shall, upon application to him for that purpose made by the said special justice, make an order for the enrolment in the said Supreme Court of Justice of such receipt, and the said chief judge shall by such order further proceed to declare and adjudge, that the apprenticed labourer, by or on behalf of whom such money hath been paid, is discharged; and such apprenticed labourer shall thereupon be, and be deemed, taken and reputed to be discharged to all intents and purposes from such apprenticeship.

11. The money to arise from the discharge of any apprenticed labourer by virtue of the proceedings before mentioned shall remain in the hands of the public treasurer of the said Colony, and shall bear interest at and after the rate of 5 *l.* per cent. per annum, and His Majesty's revenue in the said Colony shall, and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall in the discretion of such treasurer be invested in the purchase, in his name, of any public funds or securities of Great Britain and Ireland; and the chief civil judge of the said Colony shall, and he is hereby authorized, upon application to him for that purpose made, to direct that the money in the hands of the said treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were entitled to the services of such discharged apprenticed labourers, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such services were subject unto at such time

time of the discharge of such apprenticed labourer. And the said treasurer shall hold the said money, and the interest accruing thereupon, or the said public funds and dividends, subject to such order as such chief judge of the said Colony may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such principal money and interest shall by such treasurer be paid and disposed of in pursuance of and in obedience to any such order.

12. It shall and may be lawful for the chief civil judge of the said Colony to make and prescribe, and from time to time to revoke and alter, as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before him.

Cap. IX.—*On the Removal of Prædial Apprenticed Labourers from one Plantation to another.*

In every case in which, according to the provisions of the said Act of Parliament, the consent of the justice of the peace shall be necessary for the transfer of any apprenticed labourer from one plantation to another, every such transfer shall be given and attested in the form annexed marked with the letter (O.), and shall within one month after the date thereof be recorded in a book to be kept for that purpose by the special justice of the district to which such apprenticed labourer shall belong.

Cap. X.—*On the Apprenticeship of Children.*

Every indenture of apprenticeship to be made and entered into by any such special justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any apprenticed labourers, shall be in the form annexed, marked with the letter (P.), and shall be kept and recorded in the office of the special justice for the district to which such apprenticed child may belong.

Cap. XI.—*On the Alienation by Sale, Inheritance or Will, of the Services of Apprenticed Labourers.*

The right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such and the same person or persons as, if the said Act had not been paased, would by will or descent, as the case may be, have been entitled to such apprenticed labourer, as his, her or their slave, and such right or interest shall pass and be transferable, *inter vivos*, in such manner and form, and under and by virtue of such deeds, instruments and conveyances as slaves have hitherto been transferable, and have passed in the said Island.

Provided always, that no such apprenticed labourer shall be publicly or privately exhibited, or be liable or compelled to attend in person at the time or place of any sale or transfer of his or her services.

Cap. XII.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

No apprenticed labourer shall, during the continuance of his or her apprenticeship, be liable or competent to serve His Majesty in any civil office or in any military capacity within the said Colony, or to enjoy or exercise any political franchise therein.

Provided always, that nothing herein contained shall exempt any such apprenticed labourer from the obligation of rendering to His Majesty any service, civil or military, which, in case or in the prospect of any invasion, rebellion, or any great public exigency, may by His Majesty, or by the Lieutenant-Governor for the time being of the said Colony, or by any other lawful authority, be imposed upon him.

Provided also, that nothing herein contained extends or shall be construed to disqualify any such apprenticed labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person or persons, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

Forms referred to in the foregoing Order in Council.

(A.)—Warrant.

Trinidad, } To of district, and all other officers of police
To wit. } in the Colony of Trinidad.

Forasmuch as of in the district aforesaid, apprenticed labourer, hath this day been charged before me one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness,

witness, for that he the said on, &c. at, &c. did, &c. These are therefore to command you in His Majesty's nam forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal, the day of in the year of our Lord

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(B.)—Summons.

To of in the Colony of Trinidad.

Whereas a complaint, on oath, hath been preferred to me by of that you, the said did, on the day of in the year of our Lord [here state the complaint in general terms.] Now I, one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you the said to attend before me, at in the of in the said Colony, at the hour of in the of the day of in this present year, 18 then and there to answer the matters of said complaint.

Given under my hand and seal, this day of in the year of our Lord

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(C.)—Summons.

To of in the Colony of Trinidad.

These are to require you to attend and be personally present at the hour of in the of the day of 18 at in the of then and there to be examined before me as a witness, touching and concerning the matters of a certain complaint depending before me on the behalf of against

Given under my hand and seal, this day of in the year of our Lord

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(D.)—Recognizance.

Trinidad, } A. B., of in said Colony, acknowledges himself to be indebted
To wit. } to our Sovereign Lord the King, his heirs and successors, in the sum of pounds.

C. D., of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds.
E. F., of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds, upon condition that the said A. B. do personally appear before me, or any one of His Majesty's special justices of the peace, in and for the Colony of Trinidad, on the day of at in the aforesaid, there to answer the complaint of and do not depart without leave; then this recognizance to be void, or else to remain in full force.

Taken and acknowledged the day of 183 before me,

One of His Majesty's Special Justices of the Peace for the Colony of Trinidad.

(E.)—Commitment.

Trinidad, } To serjeant of police, and all other police officers whom this may
To wit. } concern.

Whereas was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of Trinidad, on the complaint of with, &c., And whereas having thought proper to adjourn the hearing of such complaint for further inquiry, the said hath although by me required, and does to find sureties for his personal appearance before me, or some other special justice of the peace, on the day of at to answer the premises. These are, therefore, in His Majesty's name, to command you, the said serjeant of police, and all other officers of police, safely to convey the said and to deliver him to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he shall find sureties, or otherwise be discharged by due course of law.

Given under my hand and seal, this day of in the year of our Lord

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(F.)—Conviction by one Special Justice of the Peace.

Trinidad, } In the day of
To wit. } Be it remembered, that on the of in the year of our Lord at in the Colony of Trinidad, is convicted before me, one of His Majesty's special justices of the peace for said Colony, for that he, the said did, &c., And I, the said special justice, adjudge the said for his said offence to

Given under my hand and seal the day and year first above mentioned.

(G.)—Conviction.

Trinidad, } In the of
To wit. } Be it remembered, that on the day of in the year of our Lord at in the Colony of Trinidad, is convicted before us of His Majesty's special justices of the peace in and for the Colony of Trinidad, in sessions assembled, for that he, the said did and we, the said special justices adjudge the said for his said offence, to

Given under our respective hands and seals the day and year first above mentioned.

(H.)—Commitment.

Whereas was this day brought before me, the under-signed special justice of the peace in and for the Colony of Trinidad, on a complaint that he, the said did, &c., And I, the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a Supreme Court of Criminal Justice, do hereby commit the said to there to be detained until discharged by due course of law. These are therefore in His Majesty's name, to command you constable, and all other officers of police, safely to convey the said to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he be discharged by due course of law.

Given under my hand and seal, this day of in the year

(I.)—Warrant.

Whereas on the day of I did issue to of in the Colony of Trinidad, my summons, requiring to attend before me at in the of in the said Colony, at the hour of in the of the day of in this present year of then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by against And whereas the service of the summons on the said hath been made to appear to me on the oath of one credible witness, and yet the said hath refused or neglected to appear at the time and place so appointed: Now you are hereby authorized and required to arrest the person of the said and to bring before me at the hour of in the of the day of at in the of in the said Colony; and for so doing this shall be your warrant.

Given under my hand and seal, this day of in the year of our Lord.

To

(K.)—Commitment.

To constable

Whereas having before me as a witness upon a certain complaint depending before me, on behalf of against on this day of 183 at in the of in the Colony of Trinidad, without lawful cause, hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to touching the subject of such hearing and inquiry: Now I do hereby authorize and require you to detain the said in in the of there to remain until shall submit to touching the subject of such hearing and inquiry, and for so doing this shall be your warrant.

Given under my hand and seal, at this day of in the year of our Lord

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(L.)—Form of Declaration.

Form of the Declaration to be delivered by every Employer, specifying his intentions respecting the mode of maintaining his Apprenticed Labourers.

I, A. B., in the town [parish or district] of in the Colony of Trinidad, do hereby declare my intention to be to maintain the apprenticed labourers employed by me, whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L. M. N. O. P. Q.	By the cultivation of the ground to be by them appropriated for that purpose.
R. S. T.	By an allowance of provisions.
U. V. W. X. Y. Z.	Partly by an allowance of provisions, and partly by the cultivation of ground to be to them appropriated for that purpose.

(M.)—Award or Sentence.

Trinidad, To wit. } Whereas proof having been made to the satisfaction of the district sessions of special justices, held on the day of at plantation in district No. in the Colony of Trinidad, that hath not paid to the sum of being the amount stipulated to be paid by to for work and labour done and performed, according to a contract bearing date the day of it is hereby awarded that the said do pay to the said the said sum of free of all deductions whatsoever, within days after the date of this award; on pain, in default thereof, of a levy being made upon the property of the said

Thus done and awarded at in the parish of in the Colony aforesaid, this day of 183

(N.)—Warrant of Execution.

Trinidad, To wit. } Whereas at the district sessions of special justices, held on the day of at in district No. in the Colony of Trinidad, it was awarded that of should pay to the sum of free of all deductions whatsoever, within days after the date of that award, on pain, in default thereof, of a levy being made upon the property of the said And whereas the said hath not paid the said sum of to the said although the time allowed for the payment thereof hath expired: These are therefore to command you to levy the said sum of by distress and sale of the goods and chattels or other property of the said and it is hereby ordered and directed, the goods and chattels so to be distrained to be sold and disposed of within days after such levy, unless the said sum of for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand and seal, at the day of in the year of our Lord

(O.)—Act of Transfer.

Trinidad, To wit. } Be it known that we of His Majesty's special justices of the peace in and for the Colony of Trinidad, having ascertained that the transfer of the hereinafter mentioned prædial apprenticed labourers at present attached to plantation in the parish of in the Colony aforesaid, belonging to from said plantation to plantation in the parish of in the said Colony, also belonging to will not have the effect of separating any of the said attached prædial apprenticed labourers from his or her wife or husband, parent or children, or from any person or persons reputed to bear any such relation to him or her, and that such transfer will not probably be injurious to the health or welfare of said attached prædial apprenticed labourers; do hereby consent that the said who is entitled to the services of said prædial apprenticed labourers, do

TRINIDAD.

Appendix (B.)

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transfer to said plantation the services of attached prædial apprenticed labourers. This act of transfer to be recorded in the Colonial Registrar's office within one month from the date hereof.

Given under our respective hands and seals, at in the parish of in the Colony aforesaid, this day of 183

(P.)—Indenture of Apprenticeship.

This Indenture made the day of in the year of our Lord one thousand eight hundred and thirty between A. B., one of His Majesty's special justices of the peace in and for said Colony, for and on the behalf of C. D., an infant, aged years, of the quarter of in the said Colony, of the one part; and E. F., of in said Colony, of the other part: Whereas E. F. [the employer] hath agreed with the said A. B. [the special justice] to take the said C. D. [the apprentice] as his apprentice for the term of years, to be taught and instructed in the trade or business of in consideration and subject to the terms and conditions hereinafter contained: Now this Indenture witnesseth, that in pursuance of the said agreement, and in virtue of the ordinance in this case made and provided, he, the said E. F., [the employer] doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said A. B. [the special justice] in the manner following; that is to say, that he, the said E. F., [the employer] shall and will, during the term of years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed, the said C. D. [the apprentice] in the trade or business of and all and every the matters and things whatsoever incident or relating thereto; and also shall and will, during the said term, find and provide the said C. D. [the apprentice] with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony; and shall also allow to the said C. D. such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a special justice of the peace of the district in which the said C. D. shall reside. And in consideration of the covenants and agreements hereinbefore contained on the part of the said E. F., [the employer] he, the said A. B., [the special justice] hath placed and bounden, and by these presents doth place and bind, the said C. D. [the apprentice] as a apprenticed labourer, unto and with the said E. F. [the employer] for the said term or period of years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said C. D. [the apprentice] to and with the said E. F. [the employer] covenant, promise and declare, that he, the said C. D., [the apprentice] shall and will, during all and every part of the said term of years, truly and faithfully serve the said E. F. [the employer] as a apprenticed labourer in the said trade and business of , and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I, the said , special justice as aforesaid, for and on behalf of the said C. D., have hereunto set my hand and seal, and the said E. F. hath also set his hand and seal in my presence, at in the Colony aforesaid, the day and year first above written.

(signed) *C. C. G.*

SAINT LUCIA.

ST. LUCIA.

No. 56.

—No. 56.—

St. Lucia.

Copy of ORDER in COUNCIL, dated 5th June 1834, for giving effect in the Island of *St. Lucia* to the Statute 3d & 4th Will. IV. c. 73. for the Abolition of Slavery.

At the Court of St. James's, the 5th day of June 1834:

Present, The King's most Excellent Majesty in Council.

Whereas by a certain Act of Parliament passed in the third and fourth year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves," it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for ascertaining, with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which and the solemnities with which the voluntary

tary discharge of any apprenticed labourer from such his or her apprenticeship may be effected, and for prescribing the form and manner in which and the solemnities with which the purchase by any such apprenticed labourer or his or her discharge from such apprenticeship without, or in opposition, if necessary, to, the consent of the person or persons entitled to his or her services, shall be effected, and how the necessary appraisement of the future value of such services shall be made, and how and to whom the amount of such appraisement shall in each case be paid and applied, and in what manner and form and by whom the discharge from any such apprenticeship shall thereupon be given, executed and recorded; and that it is also necessary for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers, and for ensuring the punctual discharge of the services due by them to their respective employers, and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer, and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter for any hired service during the time in which he or she may not be bound to labour for his or her employer, and for the prevention and punishment of insolence and insubordination on the part of any such apprenticed labourers towards their employers, and for the prevention or punishment of vagrancy or of any conduct on the part of any such apprenticed labourers injuring or tending to the injury of the property of any such employer, and for the suppression and punishment of any riot or combined resistance of the laws on the part of any such apprenticed labourers, and for preventing the escape of any such apprenticed labourers, during their term of apprenticeship, from the Colonies to which they may respectively belong: And that it will also be necessary for the protection of such apprenticed labourers as aforesaid that various regulations should be framed and established in the said respective Colonies for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are by the said Act declared entitled to receive, and for regulating the amount and quality of all such articles in cases where the laws at present existing in any such Colony may not in the case of slaves have made any regulation or any adequate regulation for that purpose: And that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same: And that it is necessary, in those cases in which the food of any such prædial apprenticed labourers as aforesaid may either wholly or in part be raised by themselves by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made from the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour: And that it may also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment for their own benefit of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers: And that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer without his or her free consent to undertake the same; but that it may be necessary by such regulations in certain cases to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate in the distribution and apportionment amongst the whole body of such labourers of any task-work, which the majority of such body shall be willing and desirous collectively to undertake: And that it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers or with any other person for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers and of the person or persons engaging for their employment and hire: And that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers by the persons entitled to their services: And that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such Indentures: And that it is also necessary that provision should be made for ensuring promptitude and despatch, and for preventing all unnecessary expense, in the discharge by the justices of the peace holding such special commissions as in the said Act mentioned of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of the said respective Colonies into districts for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts: And that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties; and that such regulations as aforesaid could not without great inconvenience be made except by the respective Governors, Councils and Assemblies, or other local legislatures of the said respective Colonies, or by His Majesty, with the advice of his Privy Council,

ST. LUCIA.

Appendix (B.)

Order in Council. No. 56.

Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends; it is therefore enacted and declared in and by the said Act, that nothing therein contained extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of his Privy Council, of any such Acts of General Assembly, or Ordinances, or Orders in Council as may be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into full and complete effect: provided nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order which shall be in anywise repugnant or contradictory to the said recited Act or any part thereof, but that every such enactment, regulation, provision, rule or order shall be and is thereby declared to be absolutely null and void and of no effect.

Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the Island of St. Lucia, it is hereby ordered by His Majesty, by and with the advice of his Privy Council, That the several rules and regulations contained in the twelve chapters hereunto subjoined and annexed, and which twelve chapters are and shall be taken to be part of this present Order, shall extend to and be in force within the Island of St. Lucia and the dependencies thereof, upon, from and after the 1st day of August in this present year 1834.

And the Right honourable Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions accordingly.

(signed) *C. C. Greville.*

Cap. I.—*On the Judicial and Ministerial Agency to be employed.*

1. The Colony of St. Lucia shall be divided into not less than two judicial districts.
2. The Lieutenant-Governor shall by proclamation define, and, as occasion may require, shall alter the limits of such districts.
3. One special justice, at least, shall be appointed to each of the before-mentioned districts.
4. In each district shall be set apart one or more tract or tracts of land, which, with the buildings to be erected thereon, shall be called the Police settlement or Police settlements of the district.
5. Every such police settlement shall be established in the vicinity of as large a body as may be of the population of the district.
6. It shall be lawful for the special justice or special justices of each district to license in such district places of safe custody and correction, situate at convenient distances from each other.
7. The Lieutenant-Governor shall appropriate for the formation of the police settlements any waste lands of the Crown which may be situate conveniently for that purpose; and in districts where such Crown lands cannot be found, shall, by exchange or purchase, procure the lands wanting for the purpose.
8. At the first formation of any such police settlement, the members thereof, assisted by such hired labourers as may be indispensable, shall be employed in the erection of temporary buildings for their own occupation; such buildings to be hereafter superseded by more permanent buildings, to be erected by the means subsequently mentioned.
9. At each police settlement shall be erected a house of correction.
10. Until permanent police settlements shall be formed and the buildings requisite for that purpose erected, it shall be lawful for the Lieutenant-Governor, with the advice and consent of the Legislative Council, to procure and provide, by hire or otherwise, suitable buildings, to be occupied temporarily as police settlements.
11. At each police settlement shall also be established a penal gang, to be composed of such persons as shall be condemned to imprisonment with hard labour.
12. Every such police settlement, place of safe custody and correction, shall be placed under the general charge of the special justices of the district, and under the immediate superintendence of a special justice of the district, to be selected by the Lieutenant-Governor for that purpose, and who shall be called a superintending special justice, and shall reside thereat, or in the immediate vicinity thereof.
13. Each police settlement shall consist of no less than one serjeant and five privates, all being able-bodied men, between the ages of 20 and 50 years.
14. The serjeant and privates of each police settlement shall be appointed by the Lieutenant-Governor, and shall be liable to be removed by him for bad conduct or inefficiency.
15. The serjeants and privates shall be liable to be suspended from office by the superintending special justice or justices of the district, subject to the Lieutenant-Governor's confirmation or disallowance of such suspension.
16. In addition to the police force stationed at each police settlement, the superintending special justice shall appoint and swear in such persons in their respective districts, as they shall think fit, to act as constables. Nothing herein contained shall prevent an apprenticed labourer from being appointed, sworn in, and acting as a constable.
17. The superintending special justices shall, once in each quarter, respectively make to the Lieutenant-Governor a report of the effective strength and condition of the police force at each settlement; and of the state of the buildings and provision grounds there, and of the state and conduct of the prisoners confined therein.

18. The

18. The Lieutenant-Governor shall, from time to time, by and with the advice of the Legislative Council, frame and publish all necessary rules for the internal discipline of the said police settlements, and of the said places of safe custody and correction; for the clothing, arming, supporting and remunerating the serjeants and privates of the said police; for remunerating the said constables; for securing the due performance, by the said police and constables, of their respective duties; for the employment of the penal gang, and also of the serjeants and privates of the said police, when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules. And all rules so framed and published shall be transmitted for His Majesty's approbation, and shall, until disallowed or altered, remain in full force.

19. It shall be the duty of the serjeant and the privates to carry into execution such orders as they shall receive from the special justice, for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

CAP. II.—*On the Procedure to be observed by the Special Magistrates, in the exercise of their Jurisdiction.*

1. Every superintending special justice shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Lieutenant-Governor.

2. Every such superintending special justice shall, one day in each week, or oftener if need be, at the place of his residence, hold a session for the hearing and deciding upon such cases as may be brought before him.

3. Every plantation in each district upon which 10 or more apprenticed labourers shall be employed, shall be visited by a superintending or other special justice once in each fortnight, or oftener if need be, who shall there take cognizance of such cases as may be brought before him, whether such cases shall relate to apprenticed labourers employed on that plantation, or to any other apprenticed labourers.

4. Every such special justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2dly, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, any general remarks which he may think desirable.

5. All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Lieutenant-Governor.

6. At the end of each quarter the special justice shall transmit to the Lieutenant-Governor a duplicate of his journal for the preceding quarter, with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such special justice, during the quarter to which it refers.

7. On receiving any complaint, it shall be the duty of the special justice to reduce it to writing, and to cause it to be read by, or to read it over to the complainant, by whom it shall then be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss the complaint; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

9. Upon taking any complaint, to the truth of which such oath shall have been so made, the special justice shall either issue his warrant for the arrest of the party charged, or shall issue, if necessary, a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A.), and the summons in the form annexed, marked (B.)

10. The warrant of arrest shall be issued in all cases which impute to the party charged a capital or a transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the justice is to proceed in the first instance by summons, if necessary.

11. In cases in which it may be necessary to adduce witnesses in support of, or in answer to any such complaint, the justice shall issue a summons, if necessary, to every such witness, in the annexed form, marked (C.)

12. At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the justice shall, in the presence of all parties, or of such of them as being summoned shall attend in pursuance of such summons, first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

13. The justice may, from time to time, adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such commitment or bail shall be in the annexed forms, marked (D.) and (E.)

14. At the close of such proceedings, the justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his hand.

15. By any such decision the justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any lawful compromise between the parties which he may think just, or convict the party charged, or commit him to prison to take his trial for the imputed offence.

16. If the complaint shall be dismissed, the justice shall, in such his written decision, state whether it was so dismissed as being unproved, or as being frivolous and vexatious, or as being malicious.

17. If any such complaint shall be so dismissed as frivolous and vexatious, the justice may adjudge the complainant, if a labourer, to work in the service of his employer, for any time not exceeding in the whole fifteen extra hours in any one week, or to any number of stripes not exceeding fifteen; or if the complainant be the employer, the justice may adjudge each employer to the payment of a penalty for the use of the labourer, of not less than 10*s.* sterling, and not greater than 5*l.* sterling.

18. If any such complaint shall be so dismissed as malicious, it shall be competent to the justice, at the instance of the party charged, to adjudge the complainant, if an apprenticed labourer, to imprisonment with hard labour, for any time not exceeding one month, or to any number of stripes not exceeding 30; or, if the employer of any such labourer, to a fine not less than 40*s.* sterling, and not greater than 10*l.* sterling, for the benefit of the party charged, which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation or otherwise, in respect of such his complaint.

19. If the justice shall, by such his decision, convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious, or a malicious complaint, such conviction shall be severally drawn up according to the forms annexed, marked (F.) (G.)

20. If such magistrate shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (H.)

21. Upon any such conviction as aforesaid, by such special justice, he shall forthwith issue a warrant for the execution thereof.

22. All summonses, warrants, commitments and other orders, so to be issued by any such justice as aforesaid, shall be executed by the police officers of his district, such justice being nevertheless authorized, as occasion may require, to address the same to any other person or persons jointly with, or instead of, such officers of police as to him may seem requisite.

23. Any summons, warrant or order issued by any such special justice within his own district, may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

24. If any person, summoned by any such justice as a witness, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by such justice, in relation to the matters depending before him, it shall be lawful for such justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest, or commitment, shall be in the forms annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Lieutenant-Governor and Legislative Council, that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices of the several districts within the Colony, or of any one or more of such districts; or that they impede or interfere with the prompt and effective execution of the law, the Lieutenant-Governor, with advice and consent of the Legislative Council, shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances, which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

26. It shall be lawful for the Lieutenant-Governor to assign to such one or more of the special justices as he shall select for that purpose, the following duties; (namely) to examine into the quarterly journals hereby directed to be transmitted by the special justices to the Lieutenant-Governor; to visit the judicial districts throughout the whole or any part of the Colony, and to inspect the police settlements and places of safe custody and correction belonging to such districts; and to examine into the state of the police force, and of the prisoners in the houses of correction and places of safe custody, and of the penal gangs in such districts, and generally to ascertain how far the rules hereby established, or to be established, under the provisions herein contained, are duly observed, and to report to the Lieutenant-Governor, at such times and in such manner as the Lieutenant-Governor shall direct, upon the several matters aforesaid.

27. If any suit or action shall be commenced against any special justice, in respect of any act, matter or thing by him done by virtue and in pursuance thereof; and if the court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

28. If in any such suit or action such justice shall, at any time before final judgment, tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit up to that time incurred; and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit, that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

29. No suit or action shall be brought against any such justice in respect of any matter or thing by him done under or in pursuance hereof, unless the same shall be commenced within six months after the cause of action occurred.

CAP. III.—*On the Division of Apprenticed Labourers into their respective Classes.*

1. By a day to be appointed for that purpose, the registrar of slaves shall deliver to every owner of slaves, a list of the slaves appearing in the registry to belong to him; for which a fee of two shillings only shall be charged.

2. By a time to be fixed for the purpose, every such owner of slaves shall return such list to the registrar, distinguishing in reference to each slave therein mentioned to which of the three classes he belongs.

3. To every such return shall be annexed an affidavit to the effect that the distinctions therein made correspond with the occupations usually pursued for twelve months next preceding the date of the Act by each of the slaves to whom such returns may refer.

4. If in any case the registrar shall see cause to doubt the accuracy of the return, he shall appoint a time and place at which the owner shall attend him to substantiate the accuracy of such return.

5. At the time and place so to be appointed the person to whom such notice shall be addressed shall attend such registrar, and if required shall bring with him any slave respecting whom any such doubt may have arisen.

6. The registrar shall then proceed to examine the person making such return, and the slave respecting whom such doubt has arisen, and any witnesses who may be adduced respecting the truth of such return; and may if necessary adjourn such examination from time to time.

7. The registrar shall then either confirm or correct any such return as he may see fit, giving notice to the party making such return, and to the slaves respectively, of such his decision.

8. If either the party making such return, or the slave to whom it may refer, shall be dissatisfied with the decision of the registrar, such party may on his own behalf, and the registrar may on the behalf of such slave, apply to the chief or to any other judge of the superior court in such Colony by petition, setting forth the nature of such decision and the objections thereto.

9. The judge to whom any such petition may be preferred shall proceed in a summary way to hear and to decide upon the same, and his decision shall be final and conclusive.

10. The judges of the said court shall make all necessary rules for regulating the proceedings upon every such petition in the manner which may be most conducive to method, punctuality and despatch.

11. When such proceedings as aforesaid shall have taken place, there shall be affixed to the entry of the name of each prædial attached slave in the registry the letters P. A.; of each prædial unattached slave the letters P. U.; and of each non-prædial slave the letters N. P.

12. During the continuance of the apprenticeship the slave registry so corrected as aforesaid shall be deposited amongst the records of the superior courts of the Colony; and when any question shall arise respecting the class to which any apprenticed labourer belongs, such corrected registry, or a certified extract thereof, shall be taken as conclusive evidence of the fact.

13. Any person neglecting or omitting to make the return or the affidavit before-mentioned, or to attend the registrar when summoned by him for that purpose, shall incur a penalty of not more than 10 *l.* nor less than 20 *s.*; and in the event of the wilful absence of any such person, it shall be lawful for the registrar to proceed and to decide any such question as though such party had attended.

CAP. IV.—*On the Maintenance of the Apprenticed Labourers.*

1. It shall be the duty of every employer of prædial apprenticed labourers, within the third week of the month of September of each year, to deliver, or cause to be delivered to the special justice of the district in which such prædial apprenticed labourers are resident, a written declaration in the form annexed, marked (L.), specifying whether it is the intention of such employer, during the current year, to maintain his prædial apprenticed labourers by the cultivation of ground, to be to them appropriated for that purpose, or by an allowance of provisions.

2. That every employer who shall, by such declaration as aforesaid, propose to maintain his prædial apprenticed labourers by an allowance of provisions, shall be and is hereby bound and required to supply to such prædial apprenticed labourers such amount of provisions, and of such kind, as by the clause next hereinafter contained are directed to be supplied to non-prædial apprenticed labourers above the age of ten years.

3. Every employer shall be, and is hereby bound and required to maintain his non-prædial apprenticed labourers, and also his prædial apprenticed labourers, until such written declaration shall have been so made and delivered by him as aforesaid, by an allowance of provisions, and to supply such provisions to the amount and of the kinds following; that is to say, each and every apprenticed labourer, above the age of ten years, shall receive in each week not less than seven herrings or shads, or other salted provisions equal thereto, together with

21 pints of wheat-flour, or of the flour or meal of Guinea, or Indian corn, or 56 full-grown plantains, or 56 pounds of cocoas or yams; or, in lieu of the allowances hereinbefore mentioned, the allowances following; namely, four pots of manioc-flour or farine, and two pounds and one half-pound of salt-fish, or fresh, or salt meat, in every week, and to all apprenticed labourers under the age of 10 years, one half of the above allowances.

4. All provisions so to be supplied to the apprenticed labourers in the Colony of St. Lucia, shall be sound and fit for consumption, and of good average merchantable quality.

5. The apprenticed labourers to whom such provisions shall be supplied, shall also be provided by and at the expense of their employers, with the means of preserving the same from week to week, and of properly preparing the same for human food.

6. Every employer of prædial apprenticed labourers, who shall by such declaration as aforesaid propose to maintain such prædial apprenticed labourers by the appropriation of ground, to be by them cultivated for that purpose, shall be and is hereby bound and required to set apart for every prædial apprenticed labourer so to be maintained half an acre of land, properly adapted for the growth of provisions, and not more than two miles distant from the place of residence of such prædial apprenticed labourer.

7. Every such employer shall be and is hereby bound and required to supply every prædial apprenticed labourer, for whom any such ground shall be so appropriated, with such seeds and with such implements of husbandry as may be necessary for the cultivation of such ground, on the first entering of such prædial apprenticed labourer in the occupation thereof.

8. It shall not be lawful for any person whomsoever to dispossess any prædial apprenticed labourer of any land so cultivated by him or her, until such labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted and growing upon such ground.

9. The crops, when growing upon any such ground and when severed therefrom, shall and are hereby declared to be the sole and absolute property of the prædial apprenticed labourer, for and in respect of whom such ground shall have been appropriated and set apart.

10. Every prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated and set apart for his support shall, out of the annual time during which such prædial apprenticed labourer is by the said recited Act required to labour, after the rate of 45 hours per week as aforesaid, be allowed such number of hours, not being fewer than four hours and a half per week, and not being more than seven hours and a half per week, as the Lieutenant-Governor, with the advice and consent of the Legislative Council, shall, by rules to be framed for that purpose, determine; which rules shall be duly transmitted for His Majesty's approbation, and until disallowed or altered shall remain in full force.

11. If any employer of prædial apprenticed labourers within the said Colony of St. Lucia shall neglect or omit to sign and deliver, in manner and within the time hereinbefore mentioned such written declaration as aforesaid, he or she shall incur a penalty of 2 *l.* for such omission or neglect, in respect of the first week in which the same shall occur, with additional penalties of 4 *l.* in the second week, 6 *l.* in the third week, and so on in arithmetical progression, in respect of each additional week during which such neglect shall be continued; and if any employer or manager of apprenticed labourers shall not supply to such apprenticed labourers provisions of such amount and quality, and at such times as he is hereinbefore required to supply the same, or shall not provide such apprenticed labourers with the means of preserving such provisions from week to week, or with the means of properly preparing the same for human food, every employer shall incur and become liable to a penalty equal to twice the value of the provisions which ought so to have been supplied, or for the preservation and preparation of which such means as aforesaid ought to have been provided, which last-mentioned penalties shall accrue to, and be for the benefit of the apprenticed labourers injured by any such omission or neglect; and if any such employer of prædial labourers shall not set apart for every prædial apprenticed labourer who is maintained by the cultivation of ground, such land of such quality and quantity, and so situate as hereinbefore is required, or shall neglect or omit to supply any such prædial apprenticed labourer with such seeds and implements of husbandry as aforesaid, or shall dispossess any such prædial apprenticed labourer of any land by him or her cultivated, until such prædial apprenticed labourer shall have had full time and opportunity for reaping and gathering in all crops by him or her planted, and growing upon such ground, every person so offending shall incur and become liable to a penalty equal to twice the amount of the loss sustained by every such prædial apprenticed labourer by every such act, omission or neglect, which penalty shall go and be applied to and for the use and benefit of the prædial apprenticed labourer so injured; and if any such employer of prædial apprenticed labourers shall neglect or omit to allow to any prædial apprenticed labourer for or in respect of whom any ground shall be so appropriated, such number of hours as aforesaid in each week for the cultivation thereof, every person so offending shall for each and every such offence incur a distinct and separate penalty of 10 *s.*, which shall go and be applied to and for the benefit of the prædial apprenticed labourers injured thereby, the number of such penalties being equal to the number of prædial apprenticed labourers affected by such offence, multiplied by the number of the days on which such offences may have been repeated.

12. It is and shall be the duty of every employer of apprenticed labourers within the said Colony once, that is to say, either in the month of January or in the month of June in each year, and he or she is hereby required to deliver to every such apprenticed labourer for his or her use either in the month of January, or in the month of June in each and every year, the following articles, that is to say:—

To

To every male apprenticed labourer of the age of 15 years and upwards,—

One hat of chip, straw or felt, or other more durable material, or one Kilmarnock cap; one cloth jacket, or blue baize or penisten frock, or seaman's shirt; two cotton or linen check-shirts; two pairs of osnaburgh trowsers; and one blanket.

To every female apprenticed labourer of the age of 13 years and upwards,—

One chip or straw hat, or two checked cotton handkerchiefs; one blue baize or penisten frock or wrapper; two cotton or linen check shifts; two osnaburgh petticoats; one blanket; and one pair of scissars.

To every male apprenticed labourer under the age of fifteen years,—

One hat or cap as aforesaid; one cloth jacket, or blue baize or penisten frock, or seaman's shirt; one checked linen or cotton shirt; and one pair of osnaburgh trowsers.

And to every female under the age of thirteen years,—

One chip or straw hat, or two checked cotton handkerchiefs; one blue baize or penisten frock or wrapper; one check shift, and one osnaburgh petticoat.

13. All the articles so to be supplied to such apprenticed labourers as aforesaid, shall be of good average merchantable quality.

14. If any employer of apprenticed labourers in the said Colony shall neglect or omit, within the time or times hereinbefore for that purpose limited, to supply and deliver to and for the use of any apprenticed labourer under his or her management, such articles of clothing and household furniture as are hereinbefore referred to, the person so offending shall incur and become liable to a fine equal to twice the value of the article or articles so withholden, which penalty shall go and be applied to and for the use and benefit of the apprenticed labourer injured by such neglect.

15. Every employer of apprenticed labourers within the said Colony shall be and is hereby required to supply each and every apprenticed labourer under his or her management with a wooden or iron bedstead, or with boards so arranged as to enable every such apprenticed labourer to sleep during the night at an elevation of one foot, at the least, above the ground; and every employer who shall neglect or omit so to supply any such apprenticed labourer with such bedstead, or such means of sleeping above the ground as aforesaid, shall for every such neglect or omission incur and become liable to a fine of 5*s.* in respect of each and every apprenticed labourer, which fine shall be again incurred from week to week as long as such neglect or omission shall continue.

16. Every person in the said Colony being the employer of 40 apprenticed labourers or upwards, shall and is hereby required to engage a medical practitioner to visit such apprenticed labourers in such his medical capacity once at the least in each 14 days; and it shall be the duty of such medical practitioner, and he is hereby authorized and required, to keep a journal of the health of such body of apprenticed labourers, so placed under his medical superintendence, in which journal he shall, once in each 14 days, record what is the general state of health of such body of apprenticed labourers, and shall also enter the name of each apprenticed labourer then labouring under sickness, distinguishing such apprenticed labourers as are thereby disqualified for the ordinary amount of labour, and prescribing such medicines or articles of diet as may in his judgment be necessary for the restoration of the sick; and it shall be the duty of every such medical practitioner once in each fortnight to deliver a copy of the entries so made by him in his journal to the employer of such apprenticed labourers, which employer shall be and is hereby required to supply such apprenticed labourers with such medicines or nourishments, and to allow to such apprenticed labourers such relaxations of labour as may by such medical practitioner be so recommended and prescribed; and in reference to every apprenticed labourer for whom any such nourishment may be provided, the rules hereinbefore contained respecting the food of apprenticed labourers shall be and are hereby suspended; and every such medical practitioner shall and is hereby required, in obedience to any requisition to him for that purpose made in writing by any such superintending special justice, to produce to such justice his journal; and in case of any acute or dangerous disease of any apprenticed labourer, the employer of such apprenticed labourer shall and is hereby required to employ at his own costs and charges, a medical practitioner for the care and medical treatment of such apprenticed labourer.

17. If any such employer of apprenticed labourers as aforesaid in the said Colony, or if any such medical practitioner as aforesaid shall refuse, neglect or omit to do or perform any matter or thing which such employer or medical practitioner is hereby required to do and perform in and about the engagement of such practitioner, or in or about the keeping such journal as aforesaid, or in or about the medical treatment, nourishment or temporary relaxation of labour of any apprenticed labourer, or in or about the production, when thereunto required, of any such journal as aforesaid, the person so offending shall, for and in respect of every such offence, incur and become liable to a fine of not less than 2*l.* or more than 20*l.*

18. Every apprenticed labourer who, on account of any disease, the medical practitioner shall deem it necessary to confine to the hospital, or to any apartment thereof for the purpose of cure, shall be bound, and if necessary may be compelled to submit to such hospital regulations as shall be sanctioned by a superintending special justice of the district in which such apprenticed labourer shall be resident.

ST. LUCIA.

Appendix (B.)

Order in Council. No. 56.

CAP. V.—*On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their non-performance.*

1. As regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, it shall be lawful for the Lieutenant-Governor, with the advice and consent of the Legislative Council, to make such regulations in respect thereof, as may appear to them best adapted to promote the interests both of the apprenticed labourers and their employers, and to frame and publish rules and ordinances for that purpose, which shall be duly transmitted for His Majesty's approbation, and which until disallowed or altered, shall remain in full force.

2. Subject to the provision lastly hereinbefore contained, and subject also to the deduction of the time hereinbefore directed to be allowed to prædial apprenticed labourers for the cultivation of their provision-grounds, every prædial apprenticed labourer shall be bound and obliged to work and labour for seven hours and a half in each and every day in the year (Sundays and holidays hitherto allowed by law to the labouring population excepted) in the service and for the benefit of his employer.

3. For every hour in which any labourer shall absent himself from his employer's service without reasonable cause, he shall be compelled to serve two extra hours, and so in proportion for every portion of time greater or less than an hour, provided that such extra hours shall not exceed 15 in the whole in any one week.

4. Any apprenticed labourer absenting himself without reasonable cause for more than seven and a half hours in any one week, shall be adjudged a deserter.

5. Any apprenticed labourer absenting himself without reasonable cause for two days during one week, shall be adjudged a vagabond.

6. Any apprenticed labourer absenting himself without reasonable cause for more than six days in any one week, shall be adjudged a runaway.

7. The reaonableness of the cause of absence shall, in each case, be decided by the special justice.

8. Apprenticed labourers adjudged deserters shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding fifteen; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding 30.

9. Any apprenticed labourer convicted of performing his work indolently, carelessly, or negligently, shall, for the first offence, be adjudged to labour in his employer's service for any time not exceeding fifteen hours in the whole in any one week; or in case such labourer be a non-prædial labourer, to whipping not exceeding 15 stripes; for the second offence, if within two calendar months, to confinement with hard labour for any time not exceeding one week; for the third, or any subsequent offence, if within two calendar months of the first offence, to confinement with hard labour for any time not exceeding one fortnight, with whipping not exceeding 20 stripes.

10. Any labourer who by the careless use of fire shall wilfully endanger the property of his employer or any other person, or who shall wantonly injure the property of his employer intrusted to his care, or who shall ill use the cattle or other live stock of his employer, or who shall by wilful negligence expose his employer's property to any damage or injury, shall for such offence be adjudged, in the discretion of the justice, either to extra labour in his employer's service for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding 30 lashes, or to any two of such punishments: provided that this enactment shall not exempt any such labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or omitted, although no such labourer shall be liable to be so sued or prosecuted, both under this order and under such general law as aforesaid.

11. Any apprenticed labourer who shall contumaciously disobey the lawful commands of his employer shall be liable to any one or any two of the punishments last aforesaid.

12. Any three or more apprenticed labourers who shall agree together to make any resistance to the lawful commands of their employers shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, with whipping not exceeding 39 stripes.

13. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employer, shall, on conviction, be adjudged to the punishments last aforesaid, or any one of them.

14. Any apprenticed labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer or any person in the immediate superintendence of his labour, shall, for every such offence, be liable on conviction to imprisonment with hard labour for any time not exceeding one week, or to whipping not exceeding 15 stripes.

15. Provided always, that no woman shall be subject to be punished by whipping for any offence by her committed; but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only, and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks. The stocks to be employed for that purpose shall all be according to one general model, to be sanctioned by the Lieutenant-Governor; and no female shall for any offence by her committed be confined in the stocks after sunset

sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days on the whole for any one offence.

16. All the offences aforesaid shall be inquired of by the magistrates having special commissions, and not by any other justice of the peace. But any such special magistrate may, if he shall see occasion, refer any such case for trial to the superior court of the Colony.

CAP. VI.—*On the Duties to be performed by the Employers towards their Apprenticed Labourers; and the Penalties for their non-performance.*

1. If the employer of any prædial apprenticed labourer shall, by force or fraud, protract the weekly services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of one shilling in respect of every hour which such service shall be protracted.

2. It shall be the duty of every such employer to intimate to the labourers in his employment, the commencement and the close of the legal hours of labour; for which purpose, a signal shall be given in such manner as shall, in reference to each plantation, have been previously approved by the special justice of the district.

3. No apprenticed labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

4. Every contract between the employer and the prædial apprenticed labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, shall, by such employer, be reduced into writing, and entered in a book to be kept for that purpose on the plantation; which book it shall be the duty of the special justice to inspect, as often as he shall in manner aforesaid repair to the several plantations within his district.

5. No contract between the employer and the prædial apprenticed labourer, for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure or continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of 14 days from the making thereof, unless the same shall have been made and entered into by such parties, in the presence and with the approbation of such special justice of the peace, or unless, having been entered into in his absence, the same shall be confirmed and approved by him, before the expiration of such 14 days. And every such approbation of any such contract shall, by such special justice, be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the special justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the apprenticed labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7. In every such contract for task-work, or for extra service extending beyond the period of one fortnight, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. No contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. Upon proof being made, to the satisfaction of such special justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to such justice, and he is hereby authorized to award execution against such employer for the amount of such consideration; and if the same shall not be paid within one week next after such award, to issue an attachment against the produce, utensils and other chattels upon such plantation, which execution and award shall be respectively in the forms annexed, marked (M.) and (N.)

10. Such execution and attachment as aforesaid shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell so much of the produce, utensils and other chattels as may be found upon such plantation, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any apprenticed labourer violating the terms of such contract as aforesaid, for task-work or for extra service, shall be liable to the same pains and penalties as are before provided in respect of the violation, by any such labourer, of the duties to be by him performed in the discharge of the services owing by him by law to such his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every child of the age of 12 years and upwards, notwithstanding his infancy, shall be competent to enter into such contracts as aforesaid for task-work or for extra service.

13. If any employer of any apprenticed labourer, or any person who, as manager or otherwise, exercises the authority of the employer over any apprenticed labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such apprenticed labourer, or shall, by way of punishment, commit any assault upon his person, such employer or other person shall incur a penalty, to be imposed by such special justice as aforesaid, not exceeding 5*l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

14. In any such case as last aforesaid, it shall be competent to any such apprenticed labourer, instead of preferring his complaint to such special justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it

shall also be competent to such special justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence, before any court having jurisdiction in the premises. If any such employer or other person shall be convicted before any court of competent jurisdiction, of any cruelty towards his apprenticed labourer, or if any such employer or other person shall be twice convicted of inflicting any corporal punishment, or of making any assault upon the person of any such labourer, then the labourer may be discharged from his apprenticeship, by order of the court before which such conviction shall be had.

CAP. VII.—*On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.*

1. If any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, any justice of the peace, who shall be present at the same, shall cause a flag, or some other conspicuous signal, to be exhibited as a warning to all persons there present to separate and disperse quietly.

2. All persons who, at the expiration of 10 minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction, be liable to imprisonment, with hard labour, for any time not exceeding 12 months.

3. No prædial attached apprenticed labourer shall reside beyond the limits of the plantation on which he may be resident on the 1st of August next, unless either by the authority of his employer, or with the consent in writing of the special justice of such district.

4. Every labourer found in any place more than five miles distant from his residence, except in his way to or from some place of public worship, and not having with him a written pass for that purpose from his employer, or from the special justice of the district, shall be liable to be apprehended and detained, and brought before a special justice; and unless such labourer shall make it appear, to the satisfaction of such special justice, that he or she, when so found, was employed upon his or her lawful occasions, such labourer shall, on conviction, be adjudged a vagabond, and punished accordingly.

5. If it shall be made to appear, to the satisfaction of any special justice, that any apprenticed labourers have, without lawful authority, established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed upon them by law, such justice of the peace shall cause any such community to be dislodged, and, if necessary, shall also cause their habitations to be taken down and removed.

6. Any labourer convicted of having been a member of any such community, shall be liable to imprisonment, with hard labour, for any term not exceeding six months, and, if a male, to whipping, by any number of stripes not exceeding 39.

7. If any labourer shall, without lawful authority, enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any special justice to dispossess such labourer from such land, and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not, within one month after such seizure, appear and prefer his claim to such land, then the special justice shall order the crops, cattle and other goods seized thereupon to be sold, and the proceeds of such sales to be paid over to the public treasurer of the Colony.

8. The summary process aforesaid shall not be taken in any case where any such apprenticed labourer may have been for two years in the undisturbed possession of any such land.

9. The special justice may further adjudge any apprenticed labourer, unlawfully taking possession of such land, to imprisonment, with hard labour, for any time not exceeding three months, if it should be made to appear, to his satisfaction, that such possession was taken fraudulently, and with knowledge that the party had no lawful claim to such possession.

10. No apprenticed labourer shall quit the Colony except with a passport from the Lieutenant-Governor, which passport shall not be granted except with the written consent of the employer.

11. Any labourer quitting or attempting to quit the Colony without such passport, shall be liable to imprisonment, with hard labour, for any term not exceeding six months.

12. All persons whose ordinary occupation is on the sea, or on any navigable stream as fishermen or mariners, shall be registered as such at the office of the special justice of the district; and any apprenticed labourer engaging in such occupation, without being first so registered, shall be liable to imprisonment, with hard labour, for any time not exceeding three months.

13. All vessels and boats not registered under the Navigation Acts, shall be registered at the office of the special justice of the district, with whom shall be entered the description of the vessel or boat, the name of the owner, and the place at which the same is usually moored.

14. No person shall keep a vessel or boat so registered, except by a license from the Lieutenant-Governor.

15. All licensed owners of such boats or vessels shall be bound to moor them, when not actually afloat, at the place or places mentioned in such license.

16. All unlicensed vessels and boats shall be liable to seizure and confiscation; and all other vessels and boats moored at any place not mentioned in the license, shall be liable to detention

detention until the owner thereof shall have paid a fine of not less than 20*s.*, nor more than 5*l.*

17. All persons removing, or assisting to remove any apprenticed labourer from the Colony, in any boat or vessel, without a passport from the Lieutenant-Governor, shall be liable to a penalty of 50*l.*, or to imprisonment for any time not exceeding one month.

CAP. VIII.—*On the Dissolution of the Apprenticeship by Contract or Appraisement.*

1. Subject to the regulations hereinafter made, any person, being the employer of any apprenticed labourer in the said Island of St. Lucia, may, by his or her last will, or by deed under his or her hand or seal, at his or her pleasure, discharge any such apprenticed labourer, so far as relates to the interest of every such testator or grantor, and that every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further, or otherwise be valid and effectual in the law, for the perpetual discharge of any such apprenticed labourer: provided nevertheless, that no person, having a partial or temporary interest in any apprenticed labourer, may, to the extent of such interest, effect his or her discharge gratuitously, unless all other persons, having a partial, future or reversionary interest in such apprenticed labourer, shall consent or be parties to such discharge, or unless such partial, future or reversionary interests shall be purchased in the manner hereinafter provided.

2. And, in order to prevent the fraudulent discharge of apprenticed labourers, incompetent from age or disease to earn their own living, it is further ordered, that in case any such deed of discharge shall be executed gratuitously, and without any valuable consideration passing to the employer or other person effecting the same, the apprenticed labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the special justice for the district in which the apprenticed labourer is resident; and if it shall appear to the said special justice that such apprenticed labourer is under the age of 14 years, or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his or her hand and seal, execute and deliver to the said special justice a bond to His Majesty, in the penal sum of 50*l.*, with a condition thereunder written for the defeazance thereof, if such apprenticed labourer shall be properly fed, clothed and maintained until the time when the term of apprenticeship would have expired, if such discharge had not been made; and no such gratuitous discharge shall be valid and effectual in the law, until such bond as aforesaid shall be duly executed.

3. Provided nevertheless, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator, the apprenticed labourer so discharged shall be under the age of 14 years, or above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to, and chargeable with, the maintenance of such apprenticed labourer, as fully as if the said testator had, in his or her life-time, executed such bond as aforesaid.

4. And, to prevent ignorant apprenticed labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is further ordered and declared, that it is and shall be lawful for any person, being the employer of any apprenticed labourer in the said Colony, to contract with such apprenticed labourer, through the agency of any such special justice as aforesaid, acting for and on behalf of such apprenticed labourer, but not otherwise, for the discharge of the said apprenticed labourer, at a price to be agreed upon between the said employer and the said special justice respectively; and in case of any such contract, it shall be the duty of the said special justice, on behalf of the said apprenticed labourer, to satisfy himself that the person proposing to effect the said discharge has good right and title in the law, and is competent to effect the same; and it shall also be the duty of the said special justice, without fee or reward, to prepare, in every such case, the proper deed of discharge, which shall in all cases be executed in the presence of and attested by the said special justice, or some proper person to be especially appointed by him to be such witness thereto; and every such deed being so executed shall, by such special justice, be enrolled in the supreme court of civil justice in and for the said Colony of St. Lucia, within one calendar month next after the date and execution thereof; and in case any such deed shall not be so enrolled by the said special justice, within the said period of one calendar month, the said special justice shall incur and be liable to the payment of a fine of not less than 10*l.*, nor more than 50*l.*

5. And to provide for the discharge of apprenticed labourers desiring to obtain the same by purchase, in cases where the employers of such apprenticed labourers may be unwilling or unable to contract for such discharge, it is hereby further ordered, that if the employer of any apprenticed labourer in the said Colony of St. Lucia, or any person having any interest in any such apprenticed labourer, shall be unwilling to effect his or her discharge, or shall, by reason of any mortgage or settlement, or lease or charge upon, or interest in such apprenticed labourer being vested in any other person or persons, be unable to execute a valid and effectual discharge of such apprenticed labourer; or if the employer, or any other person having a charge upon, or interest in, any such apprenticed labourer, shall be a minor, or a married woman, or idiot, or lunatic; or if the real employer of any such apprenticed labourer shall be absent from the said Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the said Colony, wherein the right to the service of such apprenticed labourer shall or may be in controversy; or if the employer of any such

apprenticed labourer shall demand, as the price of his or her discharge, a greater sum of money than may appear to the said special justice to be the fair and just value thereof; then and in each and every of the cases aforesaid, the chief civil judge of the said Colony, on application to him for that purpose made by the said special justice, shall issue a summons under his hand and seal, requiring the employer of such apprenticed labourer to appear before him at some convenient time and place to be in such summons for that purpose appointed, and notice shall be published by the said special justice in the public Gazette of the said Colony, of the time and place appointed for the purpose aforesaid; and in such notice, all persons having or claiming to have any title or interest to or in the services of the apprenticed labourer proposed to be discharged, either in their own right, or as the agents, guardians, attornies, trustees, or representatives of any other person, shall be required to attend and prefer such claims.

6. At the time appointed for any such meeting as aforesaid, the chief civil judge of the said Colony, in the presence of the said special justice, and also in the presence of the employer of the apprenticed labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer, shall proceed to hear in a summary way what may be alleged by the said special justice, and by the employer, or other persons claiming any interest in the services of the apprenticed labourer proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by the said special justice, or in case it shall be made to appear to the said chief civil judge that a valid and effectual discharge of such apprenticed labourer cannot legally be effected by private contract, or that the employer of such apprenticed labourer, or any person having any charge upon or interest in the services of such apprenticed labourer, is a minor, or a married woman, or idiot, or lunatic, or that the employer of such apprenticed labourer, or any person having any charge upon, or interest in, the services of such apprenticed labourer, is absent from the said Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice in such Colony wherein the right to the services of such apprenticed labourer is in controversy, then, and in every such case, the said chief civil judge shall require the special justice and the employer of such apprenticed labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his or her services for the remainder of such apprenticeship, and the said judge shall himself nominate an umpire between such appraisers; but if such employer being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

7. The appraisers so to be nominated as aforesaid, shall be duly sworn by and before the said chief civil judge, to make a fair and impartial appraisement of the value of the services of the apprenticed labourer so proposed to be discharged, and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to the said chief civil judge under their hand sand seals; and in case such joint certificate shall not be so made and delivered to the said judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify his valuation to the said judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the supreme court of civil justice in and for the said Colony.

8. Provided nevertheless, that if it shall be made to appear to the said judge, within one calendar month next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said judge to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said judge in manner aforesaid, shall be to all intents and purposes binding and conclusive: provided that such second or any subsequent valuation may in like manner be set aside by any such judge on the grounds aforesaid, until a valuation is made not open to any such objection.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled.

10. Upon or within three calendar months next after the enrolment in the supreme court of justice of the said Colony of any such valuation as aforesaid, it shall be lawful for any special justice as aforesaid of such Colony out of any monies to be supplied to him for that purpose, by the apprenticed labourer proposed to be discharged, to pay to the treasurer of the said Colony, the appraised value of the services of such apprenticed labourer, taking a receipt in writing from such treasurer for every such payment; and the chief civil judge of the said Colony shall, upon application to him for that purpose made by the said special justice, make an order for the enrolment in the said supreme court of justice of such receipt, and the said chief judge shall by such order further proceed to declare and adjudge, that the apprenticed labourer, by or on behalf of whom such money hath been paid, is discharged; and such apprenticed labourer shall thereupon be, and be deemed, taken and reputed to be discharged to all intents and purposes from such apprenticeship.

11. The

11. The money to arise from the discharge of any apprenticed labourer by virtue of the proceedings before mentioned shall remain in the hands of the public treasurer of the said Colony, and shall bear interest at and after the rate of 5 *l.* per cent. per annum, and His Majesty's revenue in the said Colony shall, and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall in the discretion of such treasurer be invested in the purchase, in his name, of any public funds or securities of Great Britain and Ireland; and the chief civil judge of the said Colony shall, and he is hereby authorized, upon application to him for that purpose made, to direct that the money in the hands of the said treasurer, and the interest accruing on such money, or the public funds of Great Britain and Ireland so to be purchased as aforesaid, and the dividends payable thereupon, shall be the property of the person or persons who was or were entitled to the services of such discharged apprenticed labourers, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such services were subject unto at such time of the discharge of such apprenticed labourer. And the said treasurer shall hold the said money, and the interest accruing thereupon, or the said public funds and dividends, subject to such order as such chief judge of the said Colony may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such principal money and interest shall by such treasurer be paid and disposed of in pursuance of, and in obedience to, any such order.

12. It shall and may be lawful for the chief civil judge of the said Colony to make and prescribe, and from time to time to revoke and alter, as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in him vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before him.

CAP. IX.—*On the Removal of prædial Apprenticed Labourers from one Plantation to another.*

In every case in which, according to the provisions of the said Act of Parliament, the consent of the justice of the peace shall be necessary for the transfer of any apprenticed labourer from one plantation to another, every such transfer shall be given and attested in the form annexed marked with the letter (O.) and shall within one month after the date thereof be recorded in a book, to be kept for that purpose by the special justice of the district to which such apprenticed labourer shall belong.

CAP. X.—*On the Apprenticeship of Children.*

Every indenture of apprenticeship to be made and entered into by any such special justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any apprenticed labourers, shall be in the form annexed, marked with the letter (P.), and shall be kept and recorded in the office of the special justice for the district to which such apprenticed child may belong.

CAP. XI.—*On the Alienation by Sale, Inheritance or Will, of the Services of Apprenticed Labourers.*

The right or interest of any employer or employers to and in the services of any such apprenticed labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such and the same person or persons as, if the said Act had not been passed, would by will or descent, as the case may be, have been entitled to such apprenticed labourer, as his, her or their slave; and such right or interest shall pass and be transferrable, *inter vivos*, in such manner and form, and under and by virtue of such deeds, instruments and conveyances as slaves have hitherto been transferrable, and have passed in the said Island.

Provided always, that no such apprenticed labourer shall be publicly or privately exhibited, or be liable or compelled to attend in person at the time or place of any sale or transfer of his or her services.

CAP. XII.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

No apprenticed labourer shall, during the continuance of his or her apprenticeship, be liable or competent to serve His Majesty in any civil office, or in any military capacity, within the said Colony, or to enjoy or exercise any political franchise therein.

Provided always, that nothing herein contained shall exempt any such apprenticed labourer from the obligation of rendering to His Majesty any service, civil or military, which, in case or in the prospect of any invasion, rebellion or any great public exigency, may, by His Majesty, or by the Lieutenant-Governor for the time being of the said Colony, or by any other lawful authority, be imposed upon him.

ST. LUCIA.
Appendix (B.)
Order in Council. No. 56.

Provided also, that nothing herein contained extends, or shall be construed to disqualify any such apprenticed labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person or persons, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

Forms referred to in the foregoing Order in Council.

(A.)—Warrant.

St. Lucia, To of district, and all other officers of police in the
To wit. Colony of St. Lucia.

Forasmuch as of in the district aforesaid, apprenticed labourer, hath this day been charged before me, one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said on, &c. at, &c. did, &c. These are, therefore, to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand and seal the day of in the year of our Lord

(B.)—Summons.

To of in the Colony of St. Lucia.

Whereas a complaint, on oath, hath been preferred to me by of that you, the said did, on the day of in the year of our Lord [here state the complaint in general terms.] Now I, one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you, the said to attend before me, at in the of in the said Colony, at the hour of in the of the day of in this present year, 18 then and there to answer the matters of said complaint.

Given under my hand and seal this day of in the year of our Lord

(C.)—Summons.

To of in the Colony of St. Lucia.

These are to require you to attend and be personally present at the hour of in the of the day of 18 at in the of then and there to be examined before me as a witness, touching and concerning the matters of a certain complaint depending before me, on the behalf of against

Given under my hand and seal this day of in the year of our Lord

(D.)—Recognizance.

St. Lucia, A. B. of in said Colony, acknowledges himself to be indebted
To wit. to our Sovereign Lord the King, His heirs and successors, in the sum of pounds.

C. D. of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, His heirs and successors, in the sum of pounds.

E. F. of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, His heirs and successors, in the sum of pounds; upon condition that the said A. B. do personally appear before me, or any one of His Majesty's special justices of the peace in and for the Colony of St. Lucia, on the day of at in the aforesaid, there to answer the complaint of and do not depart without leave; then this recognizance to be void, or else to remain in full force.

Taken and acknowledged the day of 183 before me,

One of His Majesty's special justices of the peace for the Colony of St. Lucia.

(E.)—Commitment.

St. Lucia, To serjeant of police, and all other police officers whom this may
To wit. concern.

Whereas was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of St. Lucia, on the complaint of with, &c. And whereas, having thought proper to adjourn the hearing of such

such complaint for further inquiry, the said hath although by me required, and does to find sureties for his personal appearance before me, or some other special justice of the peace, on the day of at to answer the premises: These are therefore, in His Majesty's name, to command you, the said serjeant of police, and all other officers of police, safely to convey the said and to deliver him to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he shall find sureties, or otherwise be discharged by due course of law.

Given under my hand and seal this day of in the year of our Lord

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(F.)—Conviction by one Special Justice of the Peace.

St. Lucia, To wit. } In the day of

Be it remembered, that on the of in the year of our Lord at in the Colony of St. Lucia, is convicted before me, one of His Majesty's special justices of the peace for said Colony, for that he, the said did, &c.

And I, the said special justice, adjudge the said for his said offence, to

Given under my hand and seal the day and year first above mentioned.

(G.)—Conviction.

St. Lucia, To wit. } In the of

Be it remembered, that on the day of in the year of our Lord at in the Colony of St. Lucia, is convicted before us, of His Majesty's special justices of the peace in and for the Colony of St. Lucia, in sessions assembled, for that he, the said did and we, the said special justices, adjudge the said for his said offence, to

Given under our respective hands and seals the day and year first above mentioned.

(H.)—Commitment.

Whereas was this day brought before me, the undersigned special justice of the peace in and for the Colony of St. Lucia, on a complaint that he, the said did, &c. And I, the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a supreme court of criminal justice, do hereby commit the said to there to be detained until discharged by due course of law: These are therefore, in His Majesty's name, to command you, constable, and all other officers of police, safely to convey the said to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he be discharged by due course of law.

Given under my hand and seal this day of in the year

(I.)—Warrant.

Whereas on the day of I did issue to of in the Colony of St. Lucia, my summons, requiring to attend before me at in the of in the said Colony, at the hour of in the of the day of in this present year of then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by against And whereas the service of the summons on the said hath been made to appear to me, on the oath of one credible witness, and yet the said hath refused or neglected to appear at the time and place so appointed: Now you are hereby authorized and required to arrest the person of the said and to bring before me, at the hour of in the of the day of at in the of in the said Colony; and for so doing this shall be your warrant.

Given under my hand and seal this day of in the year of our Lord

To

ST. LUCIA.

Appendix (B.)

Order in Council. No. 56.

(K.)—Commitment.

To Constable

Whereas having before me as a witness upon a certain complaint depending before me, on behalf of against on this day of 183 at in the of in the Colony of St. Lucia, without lawful cause, hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to touching the subject of such hearing and inquiry: Now, I do hereby authorize and require you to detain the said in in the of there to remain until shall submit to touching the subject of such hearing and inquiry, and for so doing this shall be your warrant.

Given under my hand and seal, at this day of in the year of our Lord

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(L.)—Form of Declaration.

Form of the Declaration to be delivered by every Employer, specifying his intentions respecting the mode of maintaining his Apprenticed Labourers.

I, A. B., in the town [*parish or district*] of in the Colony of St. Lucia, do hereby declare my intention to be to maintain the apprenticed labourers employed by me, whose names are hereinafter enumerated, in the manner stated, with reference to each of such apprenticed labourers, in the note or memorandum set opposite to the name of each in such memorandum.

L. M. N. O. P. Q. — By the cultivation of the ground to be by them appropriated for that purpose.

R. S. T. — By an allowance of provisions.

U. V. W. X. Y. Z. — Partly by an allowance of provisions, and partly by the cultivation of ground to be to them appropriated for that purpose.

(M.)—Award or Sentence.

St. Lucia, To wit. } Whereas proof having been made to the satisfaction of the district sessions of special justices, held on the day of at plantation in district No. in the Colony of St. Lucia, that hath not paid to the sum of being the amount stipulated to be paid by to for work and labour done and performed, according to a contract bearing date the day of it is hereby awarded, That the said do pay to the said the said sum of free of all deductions whatsoever, within days after the date of this award, on pain, in default thereof, of a levy being made upon the property of the said

Thus done and awarded at in the parish of in the Colony aforesaid, this day of 183

(N.)—Warrant of Execution.

St. Lucia, To wit. } Whereas at the district sessions of special justices, held on the day of at in district No. in the Colony of St. Lucia, it was awarded that of should pay to the sum of free of all deductions whatsoever, within days after the date of that award, on pain in default thereof, of a levy being made upon the property of the said

And whereas the said hath not paid the said sum of to the said although the time allowed for the payment thereof hath expired: These are, therefore, to command you to levy the said sum of by distress and sale of the goods and chattels or other property of the said and it is hereby ordered and directed, the goods and chattels so to be distrained to be sold and disposed of within days after such levy, unless the said sum of for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid. And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand and seal, at the day of in the year of our Lord

(O.)—Act of Transfer.

St. Lucia, } Be it known that we of His Majesty's special justices of the peace in
To wit. } and for the Colony of St. Lucia, having ascertained that the transfer of the hereinafter mentioned prædial apprenticed labourers, at present attached to plantation in the parish of in the Colony aforesaid, belonging to from said plantation to plantation in the parish of in the said Colony, also belonging to will not have the effect of separating any of the said attached prædial apprenticed labourers from his or her wife or husband, parent or children, or from any person or persons reputed to bear any such relation to him or her, and that such transfer will not probably be injurious to the health or welfare of said attached prædial apprenticed labourers; do hereby consent that the said who is entitled to the services of said prædial apprenticed labourers, do transfer to said plantation the services of attached prædial apprenticed labourers. This act of transfer to be recorded in the Colonial Registrar's Office within one month from the date hereof.

Given under our respective hands and seals, at in the parish of in the Colony aforesaid, this day of 183 .

(P.)—Indenture of Apprenticeship.

This Indenture, made the day of in the year of our Lord 183 between A. B., one of His Majesty's special justices of the peace in and for said Colony, for and on the behalf of C. D., an infant, aged years, of the quarter of in the said Colony, of the one part; and E. F. of in said Colony of the other part: Whereas E. F., [the employer] hath agreed with the said A. B. [the special justice] to take the said C. D. [the apprentice] as his apprentice for the term of years, to be taught and instructed in the trade or business of in consideration and subject to the terms and conditions hereinafter contained: Now this Indenture witnesseth, that in pursuance of the said agreement, and in virtue of the ordinance in this case made and provided, he the said E. F. [the employer] doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said A. B. [the special justice] in the manner following; that is to say, That he the said E. F. [the employer] shall and will, during the term of years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed, the said C. D. [the apprentice] in the trade or business of and all and every the matters and things whatsoever incident or relating thereto; and also shall and will, during the said term, find and provide the said C. D. [the apprentice] with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony, and shall also allow to the said C. D. such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a special justice of the peace of the district in which the said C. D. shall reside: And in consideration of the covenants and agreements hereinbefore contained on the part of the said E. F. [the employer] he the said A. B. [the special justice] hath placed and bounden, and by these presents doth place and bind, the said C. D. [the apprentice] as a apprenticed labourer, unto and with the said E. F. [the employer] for the said term or period of years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said C. D. [the apprentice] to and with the said E. F. [the employer] covenant, promise and declare, that he the said C. D. [the apprentice] shall and will, during all and every part of the said term of years, truly and faithfully serve the said E. F. [the employer] as a apprenticed labourer in the said trade and business of and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said special justice as aforesaid, for and on behalf of the said C. D., have hereunto set my hand and seal, and the said E. F. hath also set his hand and seal in my presence at in the Colony aforesaid, the day and year first above written.

(signed) *C. C. G.*

—No. 57.—

St. Lucia.

No. 57.

By his Excellency Sir *Dudley St. Leger Hill*, Knight, Lieutenant-Governor, &c.

Dudley Hill, Lieutenant-Governor.

A PROCLAMATION dividing the Island of *St. Lucia* into three Judicial Districts, and defining the Limits of the said Districts.

Whereas by an Order of The King's most ExcellentMajesty in his Privy Council, bearing date the 5th day of June 1834, certain rules and regulations have been framed and established for carrying into full and complete effect within this Island of St. Lucia, an Act of the British Parliament, passed in the third and fourth years of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry

ST. LUCIA.

Appendix (B.)

Colonial Laws. No. 57.

of the manumitted Slaves, and for compensating the persons hitherto entitled to the service of such Slaves:" And whereas by the said Order in Council, it is amongst other things ordered and directed, that for the purposes of the jurisdiction and authorities committed to the justices of the peace, holding special commissions as in the aforesaid Act mentioned, the Colony of St. Lucia shall be divided into not less than two judicial districts, and that the Lieutenant-Governor of this said Island shall by proclamation define, and as occasion may require, shall alter the limits of such judicial districts.

Now, therefore, I, Colonel Sir Dudley St. Leger Hill, knight, lieutenant-governor, and commander-in-chief in the Island of St. Lucia and its dependencies, and vice-admiral of the same, in pursuance and in exercise of the powers and authority in me so vested by the said recited Order in Council, do hereby proclaim, order and declare, That this Island of St. Lucia shall for the purposes aforesaid in the said Act mentioned, and in the said Royal Order in Council more fully set forth, be divided into three judicial districts, to be respectively called the First Judicial District, the Second Judicial District, and the Third Judicial District of St. Lucia.

And I do by this my proclamation define, fix and establish the limits of the said three judicial districts of St. Lucia in manner following; viz.

The first judicial district shall comprehend and include the respective quarters of Castries, Gros-Ilet, Dauphin and Anse la Raye; the second judicial district shall comprehend and include the respective quarters of Soufrière, Choiseul and Laborie; and the third judicial district shall comprehend and include the respective quarters of Vieux Fort, Micoud, Praslen and D'Enery.

And I do hereby direct, order and declare, that this my present proclamation shall take effect and be in full force and effect, throughout the said Island of St. Lucia and the dependencies thereof, upon from and after the 1st day of August in the present year 1834.

Given under my hand and the seal of the said Island, this 1st day of August in the 5th year of His Majesty's reign, and in the year of our Lord 1834.

By His Excellency's Command,
(for the Acting Colonial Secretary)
H. E. F. Young.

—No. 58.—

No. 58.

St. Lucia.

AN ORDINANCE enacted by the Lieutenant-Governor and the Legislative Council of *St. Lucia*, for fixing and determining the number of Hours per week which shall be allotted to Prædial Apprenticed Labourers for the cultivation of their Provision Grounds, and also for regulating the apportionment of the 45 Hours per week during which Prædial Apprenticed Labourers are required by law to work for the benefit of their Employers. —(Passed 1st August 1834.)

Dudley Hill, Lieutenant-Governor.

Whereas by an Order of The King's most Excellent Majesty in Council passed on the 5th day of June 1834, for carrying into full and complete effect within the Island of St Lucia, an Act of the British Parliament made in the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it is amongst other things ordered and directed, that it shall be lawful for the Lieutenant-Governor of St. Lucia with the advice and consent of the Legislative Council of government thereof, by rules to be framed and published, to determine the number of hours per week, not being fewer than four hours and a half per week, and not being more than seven hours and a half per week, which shall be allotted to every prædial apprenticed labourer for the cultivation of any provision ground which shall have been appropriated and set apart for his support, out of the annual time during which such prædial apprenticed labourer is by thesaid recited Act required to labour, after the rate of 45 hours per week.

And whereas by the said recited order, it is ordered and directed, that it shall be lawful for the Lieutenant-Governor, with the advice and consent of the said Legislative Council, to make such regulations as may appear to them best adapted to promote the interests both of the said prædial apprenticed labourers and their employers, as regards the apportionment of the 45 hours per week, during which prædial apprenticed labourers are required by law to work for their employers, and to frame and publish rules and ordinances for that purpose: provided always, that such rules and ordinances shall be duly transmitted for His Majesty's approbation, and until disallowed or altered shall remain in full force.

Now, therefore, be it and it is hereby enacted and ordained, by his Excellency Sir Dudley St. Leger Hill, knight companion of the most honourable Order of the Bath, &c. &c., lieutenant-governor and commander-in-chief of the Island of St. Lucia and its dependencies, and vice-admiral thereof, by and with the advice and consent of the Legislative Council of government, in execution of the powers and authority in him and them vested by His Majesty in that behalf;

1. That every prædial apprenticed labourer, for and in respect of whom any ground shall be appropriated and set apart for his support, shall, out of the annual time during which such prædial apprenticed labourer is by the said recited Act required to labour after the rate of 45 hours per week, be allowed five hours per week for the cultivation of such ground.

2. And be it, and it is hereby enacted, by the authority aforesaid, that it shall and may be lawful for any person being an employer of any able-bodied prædial apprenticed labourer, to require

require and exact from such able-bodied prædial apprenticed labourer, and such apprenticed labourer is hereby bound and obliged to work and labour in the name and for the benefit of his employer, any number of hours, not exceeding 12 hours in any one day when employed in manufacturing labour, and any number of hours, not exceeding nine hours in any one day when employed in agricultural labour; and provided also, that no apprenticed labourer who shall be required to work and labour both in agricultural and manufacturing labour in one and the same day, shall be required to work in the whole day more than 10 hours: and provided always, that the whole number of hours to be exacted from any prædial apprenticed labourer for whom ground shall be set apart, shall not exceed 40 hours, and for all others shall not exceed 45 hours per week: and provided nevertheless, that all the rules and regulations provided by the said recited Order of His Majesty in Council of the 5th June 1834, and in the first clause of this Order, be duly complied with; and further that the day for manufacturing labour shall be held to include 24 hours, and the day for agricultural labour to commence at sunrise, and terminate at sunset.

3. And be it, and it is hereby enacted, by the authority aforesaid, that this ordinance shall take effect and be in force in this Island of St. Lucia and the dependencies thereof, upon, from and after the day of the passing thereof.

Given under my hand and the seal of the said Island, this 1st day of August in the fifth year of His Majesty's reign, and in the year of our Lord 1834.

By His Excellency's Command
(for the Acting Colonial Secretary)
H. E. F. Young.

—No. 59.—

St. Lucia.

No. 59.

PROCLAMATION by his Excellency Sir *Dudley St. Leger Hill,* Knight, Lieutenant-Governor, &c. &c.

Dudley Hill, Lieutenant-Governor.

Whereas various false reports respecting the state of the population in distant parts of the Island are prevalent, and amongst other mischievous rumours, there is now current one to the effect that the militia of the quarter of Micoud had been under the necessity of using fire-arms against His Majesty's free subjects, the apprentices of the said quarter; and having every reason to believe the same to be unfounded,—

I have thought fit to issue this my Proclamation for the purpose of reassuring the public mind, and of making generally known, that the recent visits which I have paid to the respective districts of the Colony have fully satisfied me of the loyalty of the labouring population, and have inspired me with the fullest confidence, that their legal services will henceforth continue to be performed with diligence, and the public tranquillity maintained as it hitherto has been, wholly undisturbed. And upon pain of being subjected to the severest penalty the law may award, I do hereby caution all parties against spreading reports, calculated to mislead and disturb the public mind at this critical period.

Given under my hand and the seal of the said Island, this 16th day of August in the fifth year of His Majesty's reign, and in the year of our Lord 1834.

By his Excellency's Command.

H. E. F. Young,
Acts Col. Secy.

—No. 60.—

St. Lucia.

No. 60.

AN ORDINANCE enacted by the Lieutenant-Governor and Legislative Council of *St. Lucia,* for providing for the acquiescence of the Minority of the Prædial Apprenticed Labourers in the apportionment of Task-Work; and also providing for the Compensation compellable from Apprenticed Labourers absenting themselves from the service of their Employers.—(Passed 18th August 1834.)

Dudley Hill, Lieutenant-Governor.

Whereas by a certain Act of Parliament passed in the 3d & 4th year of the reign of His most Excellent Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" it is amongst other things enacted, that it may be necessary, by regulations in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate in the distribution and apportionment amongst the whole body of such labourers, of any task-work which the majority of such body shall be willing and desirous collectively to undertake.

And it is also by the said recited Act provided, that any Ordinance, to be framed under and by virtue of the said Act, may contain provisions for compelling any apprenticed labourer who shall, during his or her apprenticeship, wilfully absent himself or herself from the

service of his or her employer, either to serve his or her employer after the expiration of his or her apprenticeship, for so long a time as he or she shall have so absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except in so far as he or she shall have made satisfaction for such absence, either out of such extra hours as aforesaid, or otherwise), but nevertheless so that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice.

And whereas by an Order of His said most Excellent Majesty, in his Privy Council, bearing date the 5th June 1834, certain rules and regulations have been framed and established for carrying into full and complete effect, in this said Island, the above recited Act of Parliament, but no provision has been made for the purpose of securing the acquiescence of the minority of apprenticed labourers as aforesaid: And whereas it is expedient that such provision be made, and that rules and regulations be forthwith framed and established for that purpose.

Now therefore, in pursuance of the said recited Act of Parliament, it is hereby enacted and ordained, by his Excellency Sir Dudley St. Leger Hill, &c. &c. lieutenant-governor and commander-in-chief of the Island of St. Lucia and the dependencies thereof, vice-admiral of the same, by and with the advice and consent of the Legislative Council of Government, in exercise of the powers and authority in him and them vested by His Majesty in that behalf;

1. That in every contract which may be entered into between any employer, and the able-bodied prædial apprenticed labourers attached to any plantation or estate for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours, and where in aid of such contract the majority, consisting of not less than two-thirds of the whole number of such apprenticed labourers shall be willing and desirous collectively to undertake such specific task-work, it shall and may be lawful for any such employer to distribute and apportion among the whole body of such able-bodied prædial apprenticed labourers attached to such plantation, such specific or task-work, and such contract shall be held as in force and equally binding upon the minority of such able-bodied apprenticed labourers, as if such minority had been parties to and had formerly acquiesced in the said contract, and such minority shall be bound and obliged and compellable, under and by virtue of such contract, to work and labour for the benefit of their employer in such specific or task-work as aforesaid.

Provided always, that for the violation of the terms of such contract for any specific or task-work, all the fines to which any employer shall and may be liable shall be duly enforced against such employer, and that all the same pains and penalties be equally enforced against any such apprenticed labourer to which he or she shall and may be liable for and in respect of the violation by him or her of the duties owing by him or her by law to such employer, and which pains and penalties are by the said recited Royal Order declared to be applicable to any breach of such contract, unless specific penalties be named in the said contract: and provided always, that all the rules and regulations respecting the form, conditions and mode of execution of such contract be duly observed as are in and by the said Royal Order in Council for that purpose made and provided.

2. And be it, and it is hereby enacted, by the authority aforesaid, that any apprenticed labourer who shall during his or her apprenticeship wilfully absent himself or herself from the service of his or her employer, shall be compelled either to serve his or her employer after the expiration of his or her apprenticeship, for so long a time as he or she may have so absented himself or herself from such service, or to make satisfaction to his or her employer for the loss sustained by such absence (except so far as he or she shall have made satisfaction for such absence, either out of such extra hours, not exceeding fifteen extra hours in the whole in any one week): provided always, that such extra service or compensation shall not be compellable after the expiration of seven years next after the termination of the apprenticeship of such apprentice: provided always, and be it enacted, that all the same pains and penalties to which any such apprenticed labourer shall and may be liable for neglect or violation of duty during the period of his or her apprenticeship are declared to be, and are hereby made applicable to, and shall and may be duly enforced against such apprenticed labourer during the continuance of such additional labour or prolonged apprenticeship: provided always, that the time or times during which such apprenticed labourer shall have so absented himself or herself from the service of his or her employer, shall be established by conviction before any special justice of the peace within the limits of his judicial district, whose conviction of any such apprenticed labourer shall be a sufficient warrant and authority to such employer to compel the performance of such additional labour, or to authorize such prolonged apprenticeship as by the said Act is provided.

3. And be it enacted, by the authority aforesaid, that this Ordinance shall take effect and be in force within this Island of St. Lucia, and the dependencies thereof, from and after the day of the date of the promulgation thereof.

Given under my hand and the seal of the said Island, this eighteenth day of August, in the fifth year of His Majesty's reign, and in the year of our Lord 1834.

By his Excellency's Command,

H. E. F. Young,
Acts Col. Secy.

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—No. 61.—

St. Lucia.

AN ORDINANCE enacted by the Lieutenant-Governor and Legislative Council of *St. Lucia*, for abolishing the office of Commissary-Commandant, and in lieu thereof establishing the office of Justice of the Peace, and defining and regulating the Duties to be performed by the said Officer within the Island of *St. Lucia*.—(Passed 23d October 1834.)

DUDLEY HILL, Lieutenant-Governor.

WHEREAS, in consequence of the new state and relations of society in this Island, it is expedient to abolish the office of commissary-commandant within this Island, and to establish the office of "justice of the peace" in lieu thereof, and to define and regulate the duties to be performed by justices of the peace: Now therefore be it, and it is hereby enacted and ordained, by his Excellency Sir Dudley St. Leger Hill, knight companion of the most honourable Military Order of the Bath, knight of the Portuguese Order of the Tower and Sword, colonel in the British Army and in that of Portugal, lieutenant-governor and commander-in-chief in and over the Island of St. Lucia, and the dependencies thereof, and vice-admiral of the same, by and with the advice and consent of the Legislative Council of Government, in exercise of the powers and authority in him and them vested by His Majesty in that behalf;

1. That an Ordinance, bearing date the 26th day of July 1825, intituled, "An Ordinance, making more effectual provision for the discharge of the office of Commissary-Commandant;" and that another Ordinance, bearing date the 6th day of March 1832, intituled, "An Ordinance, regulating the Jurisdiction of Commissaries-Commandant or Justices of the Peace in civil and criminal Matters," shall be, and the same are repealed, saving and excepting in so far as the said recited ordinances may have repealed any prior ordinances or regulations.

2. And be it enacted, by the authority aforesaid, that upon, from and after the passing of this present ordinance, the office, title and designation of commissary-commandant and lieutenant commissary-commandant, in civil and criminal matters, in the respective quarters of the said Island, shall be and the same are hereby abolished; and it shall and may be lawful for the Lieutenant-Governor or officer administering the government of this Island for the time being, by any special commission, or by general commission of the peace, issued under his hand and the public seal of the said Island, to nominate, appoint and assign, or to include in the said general commission of the peace, any good, fit and proper person or persons, constituting him or them a justice or justices of the peace for the whole of this Colony, or for any parish, quarter or other district of the same, to perform all the several duties attached and appertaining to the office of a justice of the peace, in manner hereinafter mentioned: provided always, that no person or persons, so nominated, appointed and assigned as a justice of the peace, shall be entitled to enter upon the duties of his or their said office of justice of the peace, unless he or they shall have first taken the usual oaths appointed to be taken by persons in office: provided always, that no advocate or procureur of the Royal Court, or other legal practitioner in this Island, shall be bound and obliged, whilst so practising, to accept of and serve the said office of a justice of the peace.

3. And be it enacted, by the authority aforesaid, that if any person or persons shall refuse or neglect to enter upon, or to take upon himself or themselves, or to perform the duties of the said office of a justice or justices of the peace for the whole of the said Island, or for any parish, quarter or district of the same, such person or persons shall, upon conviction thereof, forfeit and pay the sum of 50*l.* sterling: provided always, that no person shall be compellable to serve the office of a justice of the peace, for a longer period than one year from the date of his nomination, if he shall give to his Excellency the Lieutenant-Governor, three months' written notice of such his intention to decline further service: provided always, that no person shall be compellable to serve again the said office of a justice of the peace within one year after the date of his resignation.

4. And be it enacted, by the authority aforesaid, that the justices of the peace for the whole of the said Island, or for any parish, quarter or district thereof, shall have, possess and exercise jurisdiction, power and authority in all civil matters not exceeding the amount of 160 livres, and not prohibited by the Royal Order in Council, of 20th June 1831; that all proceedings in civil matters shall be simple and summary, and without appeal: and it shall and may be lawful for any one or more justice or justices of the peace, upon the application of any individual feeling himself aggrieved, to receive the demand, along with the particulars thereof in writing, and to issue, or cause to be issued, a written notice or citation, containing the particulars of the demand, and to direct and authorize any constable, officer of police or other person by him duly authorized to serve the same on the parties, either personally or at their usual or last known place of abode, with a summons to appear before the said justice or justices of the peace, within not less than 24 hours after due notice of the same, upon a certain day to be named in the citation; and every constable, officer of police or other person duly authorized to that effect, serving the notice or citation, shall return the original notice and citation to the justice of the peace issuing the same, and shall make oath of the due service thereof; and all witnesses and others shall be cited, summoned and warned to attend before any justice or justices of the peace, in the same way and manner as that ordered to be practised and observed for the citing and summoning the parties themselves; and any witness refusing, neglecting or omitting to attend, without any

lawful and reasonable excuse when duly warned to that effect, on oath also made to that effect, or attending, shall refuse to give his or her evidence, such witness may, for such refusal, be committed to the nearest gaol until he or she shall submit to be sworn or affirm, or to give such his or her evidence: provided always, that if the witness to be cited be an apprenticed labourer, the summons or citation shall be served on the employer of any such apprenticed labourer; and such employer, neglecting or refusing to permit such apprenticed labourer to attend, shall be liable to and incur all the same penalties set forth in this present clause.

5. And be it enacted, by the authority aforesaid, that upon the defendant not appearing personally or by some person on his behalf, when duly cited, the justice or justices of the peace may proceed to hear the case *ex parte*, and to award and pronounce judgment; and in the event of the defendant appearing, the justice of the peace may proceed to hear the parties respectively, and if necessary, to examine the witnesses upon oath, and to pronounce judgment accordingly, and thereafter to issue a warrant under his hand to levy on the goods and chattels of the party condemned, which warrant may be executed throughout the whole extent of the Colony; and any constable, officer of police, or other person duly authorized, may in virtue thereof proceed to levy upon the goods and chattels of the party so condemned, other than the wearing apparel, not exceeding one hundred livres, and implements of trade of the defendant, any law, usage or custom to the contrary notwithstanding, sufficient wherewith to pay and satisfy the amount of the judgment, together with the costs; and the said goods and chattels so levied upon may be immediately appraised and valued by any two persons approved of by the justice or justices of the peace; and the goods so levied upon may be given over to the creditor at the appraised value, he, the creditor, paying all fees and expenses, or the said goods and chattels may be sold in the most public street or place, public notice thereof being given forty-eight hours previously, and the proceeds thereof, after paying the fees and expenses, shall be applied in satisfaction of the demand, and the surplus, if any, shall be delivered to the person levied upon: provided always, that if a return be made to the satisfaction of the justice or justices, that no goods and chattels whereon to make sufficient levy can be found, the said justice or justices of the peace may, by warrant under his or their hand and seal, authorize the arrest of the defendant, and direct him to be carried to the nearest gaol, there to be detained at the rate of one entire day's incarceration for every sum of five livres and under, of the amount awarded by the judgment, and no longer: provided always, that such imprisonment shall not be held to extinguish the debt, but the said debt may be recovered at any future period, should any goods or chattels whereon to levy be found: and provided also, that no person shall be liable to be imprisoned a second time for the same debt: provided always, that it shall and may be lawful for the keeper of any gaol in the said Island to discharge out of his custody any such defendant if the incarcerating creditor shall not, within six hours after committal, deposit the sum of two livres per diem, in order to meet and to cover the expenses of such maintenance, and to defray all gaol fees.

6. And be it enacted, by the authority aforesaid, that any justice or justices of the peace in and for the whole of the said Island, or of any parish, quarter or district thereof, shall have, possess and exercise jurisdiction and authority to preserve and to cause to be preserved the King's peace, to suppress all riots and affrays, to disperse all disorderly and tumultuous assemblages, and for that purpose to call in the aid and assistance of all His Majesty's liege subjects present, who, if able, shall be bound to obey all lawful commands, and to appoint special constables, who neglecting or refusing to serve as such, shall be liable to a penalty not exceeding one hundred livres for each and every offence, to be recovered by distress and levy as is hereinbefore provided; and in case of extreme necessity, it shall and may be lawful for any two or more justices of the peace to require, through the nearest commanding officer of any detachment of militia, the services and assistance of the militia or military force in the Island: provided that one justice of the peace be always present with such force, and issuing any necessary orders, commands and instructions through the commanding officer only.

7. And be it enacted, by the authority aforesaid, that it shall be the duty of the justices of the peace to do and perform all the duties directed and prescribed heretofore to be performed by commissaries-commandant under and by virtue of any ordinance or ordinances, to take cognizance of all petty misdemeanors, petty assaults and other breaches of the peace which he may in his discretion consider not sufficiently grave to be sent before the judge of police.

8. And be it enacted, by the authority aforesaid, that in all matters of police it shall and may be lawful for any justice or justices of the peace, either on his or their own view, or on the evidence of one or more credible witnesses, or on the voluntary confession of the party accused, to adjudge such offender to imprisonment in the common gaol of the parish or quarter for a term not exceeding 14 days, with or without hard labour, or a fine not exceeding 160 livres, or whipping not exceeding 25 stripes, or any two or more of such kind of punishment together.

9. And be it enacted, by the authority aforesaid, that any one or more justices of the peace, within their respective parishes or quarters, shall appropriate and set apart one day at the least in each and every week for the holding of a court in the towns of Castries, Soufrière and Vieux-Fort, for the hearing and trial of such matters and things as may be brought before the said court for judgment and decision.

10. And be it enacted, by the authority aforesaid, that if any person or persons shall presume to obstruct, prevent or in any way disturb, molest or ill-treat any justice or justices of the peace, or any person or persons employed by him or them in the execution of their duties pursuant

pursuant to this ordinance, the person or persons so offending shall severally forfeit and pay for every such offence, on conviction before any justice of the peace, other than the justice of the peace so molested and ill-treated, a sum not exceeding 160 livres, to be levied in default of payment by warrant of distress under the hand and seal of the justice of the peace convicting, upon the goods and chattels of such offender or offenders, and in default of such satisfaction, such offender or offenders shall and may be imprisoned for any time not exceeding 14 days: provided always, that it shall and may be lawful for any justice of the peace to commit to gaol any person guilty of an open contempt to such justice in the actual execution of his office, for any time not exceeding 14 days, there to remain, unless such offender shall sooner make his submission to the satisfaction of such justice of the peace.

11. And be it enacted, by the authority aforesaid, that no suit or action shall be brought against any justice of the peace in respect of any act, matter or thing by him done under and in pursuance of this present ordinance, unless the same shall be commenced within six calendar months after the cause of action occurred; and if any suit or action shall be commenced against any such justice of the peace for any act, matter or thing done by virtue or in pursuance of this ordinance, and such justice of the peace shall at any time before trial tender to the plaintiff sufficient amends for any wrong or injury in respect of which the same may be brought, and submit to pay the costs of suit, then upon proof made to the court at the time of such suit that such amends have been so tendered and were sufficient, judgment shall be given to the plaintiff for the amount of the sum so tendered, and subject to the deduction therefrom of the costs of the defendant.

12. And be it enacted, by the authority aforesaid, that all fines recovered under and pursuant to the present ordinance, shall go to and be applied to the uses of this Colony.

13. And be it enacted, by the authority aforesaid, that no greater fees shall be taken or demanded for any matter or thing to be done under and by virtue of this ordinance, save those mentioned in the Tariff hereunto annexed.

14. And be it enacted, by the authority aforesaid, that this present ordinance shall take effect and be in force within the said Island and the dependencies thereof from and after the day of the promulgation hereof.

Given under my hand and the seal of the said Island, this 23d day of October, in the fifth year of His Majesty's reign, and in the year of our Lord 1834.

By His Excellency's Command,

H. E. Fox Young,
Acting Colonial Secretary.

TARIFF.

Fee for serving Notice to party and witnesses, in town, one livre; in country, one livre, and one livre per mile.

Fee for levying on goods, five livres if in town; five livres if in country, and one livre per mile.

Fee for appraising, two livres each appraiser.

Fee for selling, one livre in every Spanish dollar.

— No. 62. —

St. Lucia.

No. 62.

COPY of an ORDINANCE by the Lieutenant-Governor and Legislative Council of *St. Lucia*, enacting and ordaining certain Rules and Regulations respecting the Rural Police Establishments, and respecting Houses of Correction and Penal Gangs within the Island of *St. Lucia*.—(Passed 1st December 1834.)

WHEREAS by a certain order of His most Excellent Majesty King William the Fourth, in his Privy Council, bearing date the 5th day of June 1834, for carrying into full effect within this said Island of St. Lucia an Act of the Imperial Parliament, passed in the 3d and 4th years of the reign of His said Majesty, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the persons hitherto entitled to the services of such Slaves," the Lieutenant-Governor of St. Lucia is by the said recited order directed and authorized, by and with the advice of the Legislative Council of the said Island, from time to time to frame and publish all necessary rules for the internal discipline of the police establishment, and of places of safe custody and correction in the said Island; for the clothing, arming, supporting and remunerating the serjeants and privates of the said police; for remunerating constables; for securing the due performance by the said police and constables of their respective duties; for the employment of the penal gangs, and also of the serjeants and privates of the said police when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules.

Now, therefore, in pursuance and in virtue of the said recited Royal Order in Council; Be it, and it is hereby enacted and ordained, by his Excellency Sir Dudley St. Leger Hill, K. C. B. &c. &c. &c., lieutenant-governor and commander-in-chief in and over the Island of St. Lucia

ST. LUCIA.

and its dependencies, and vice-admiral of the same, &c., by and with the advice and consent of the Legislative Council, in exercise of the powers and authority in him and them vested by His Majesty in that behalf;

Governor authorized to appoint a number of persons to compose a rural police.

1. That the Lieutenant-Governor or officer administering the government of this said Island is hereby authorized and empowered to appoint during pleasure a certain number of persons to compose and act as the rural police of this Island, and during the period of the service and good conduct of such persons as police officers they shall receive the following pay; that is to say, each serjeant in the police shall receive the sum of ten livres, current money of this Island, per day, to be paid to him in equal monthly instalments by the colonial treasurer in this Island, through the stipendiary special justice of the district to which the said police officer is attached; and each private of the police shall receive the sum of five livres like current money per day, to be paid to him in equal monthly instalments in manner aforesaid.

Privates may be promoted for good conduct.

2. And be it enacted, by the authority aforesaid, that as vacancies occur among the serjeants at the police establishments it shall and may be lawful for the Lieutenant-Governor or officer administering the government to promote privates for good conduct to such vacancies from time to time.

Oath to be administered to each serjeant and private of police.

3. And be it enacted, by the authority aforesaid, that the serjeants and privates of police so to be appointed under and by virtue of this ordinance, shall each and every of them, previously to his entering upon the execution of the duties of his office, take an oath before the stipendiary special justice of the peace of the district where the police settlement is, of which such serjeant or private shall be a member; which oath any such stipendiary special justice of the peace of such district is hereby authorized to administer; the tenor of which to be as follows:—

"I, *A. B.*, do solemnly and sincerely swear, that I will well and truly serve our Sovereign Lord the King as a police officer for the judicial district of this Island, according to the best of my skill, ability and knowledge. So help me GOD."

The privates, on enrolment, to be numbered by the serjeant; each to be provided with a uniform.

4. And be it enacted, by the authority aforesaid, that the several privates appointed to the respective police establishments shall immediately on their enrolment be respectively numbered by the serjeant of such establishment, and each shall be provided with the following dress or uniform; that is to say, a blue cloth jacket with skirts so made as to button close up to the chin, with a standing collar; on each side of each collar shall be worked in scarlet cloth the letter or number, distinguishing the police settlement or judicial district to which such private belongs; one pair of duck trowers, one black hat and two pairs of strong shoes; that each serjeant shall be provided with a blue cloth jacket with standing collar, on each side of which shall be worked in scarlet cloth the letter or number distinguishing the police settlement or judicial district to which such serjeant belongs, and with three stripes or chevrons in scarlet cloth on the left arm; and that in all other respects the serjeants shall be dressed as the privates are hereby directed to be; which said uniforms are to be worn by the said police officers at all times when on actual duty; and the said uniforms and other articles shall be annually furnished to them at the public expense, under the direction of the Lieutenant-Governor or officer administering the government of this said Island.

Governor authorized to arm and accoutre the police.

5. And be it enacted, by the authority aforesaid, that the Lieutenant-Governor or officer administering the government is hereby authorized and empowered to arm and accoutre the said police officers in such manner as shall be deemed expedient for the due performance of their duties, which said arms and accoutrements shall be provided at the public expense, and shall be kept and preserved at all times in complete order, and be deposited in some convenient place to be appropriated to that purpose at each police settlement.

The police to carry into prompt execution the orders of the special justices.

6. And be it enacted, by the authority aforesaid, that it shall be the duty of each and every serjeant and private of each police settlement, to carry into prompt execution all such lawful orders and commands as they shall respectively from time to time receive from any special justice or justices of the district under the Order in Council of 5th June 1834, or from any other magistrate as hereinafter mentioned, for the prevention or repressing of crimes and enforcing obedience to the laws.

The rural police to act as conservators of the peace.

7. And be it enacted, by the authority aforesaid, that the serjeants and privates of the rural police shall act as conservators of the peace for the respective judicial districts to which they belong; and they shall have, exercise and enjoy within their respective districts, all the powers, authorities and immunities which are incident to the office of a constable or other officer of the general police of this Island, and which are by the general law of the said Island vested in and given to constables or officers of police in general; and all such powers, authorities and immunities are hereby declared to be fully and absolutely vested in and given to such serjeants and privates of the rural police, so long only as such serjeants and privates of the rural police shall remain and be employed in such capacity, and no longer.

Justices of the peace can impose a penalty upon police officers for disobedience, &c.

8. And be it enacted, by the authority aforesaid, that in all cases in which any officer of police shall be guilty of any disobedience of any lawful commands, or infringement of any bye-laws or regulations for the government of the police establishments, or other impropriety of conduct or breach of duty as such police officer, it shall and may be lawful for any two special justices of the peace of the judicial district to which such police officer belongs, and before whom any such police officer shall be convicted of any such offence, to impose a penalty on him of not more than 14 days' pay and not less than two days' pay; and in case the

the said fine shall not be paid immediately or within such time as the special justices shall direct before whom the conviction took place, such special justices of the peace are hereby authorized and directed to deduct the amount of such fine, and detain the same from the pay and salary due and owing to such police officer.

Police to be mustered twice a day; each serjeant to keep an orderly book, in which is to be entered daily a report, &c. &c.

9. And be it enacted, by the authority aforesaid, that the serjeant at each police settlement shall muster the privates twice a day for morning and evening parade, and each serjeant shall keep an orderly book or books in which he shall faithfully and accurately enter and transcribe a daily written report as to the effective strength, condition and conduct of the privates and of prisoners under his charge and superintendence, specifying the names of all offenders, nature of offence and punishment with the name of the committing special justice; and the orderly book or books shall be open for inspection to any special justice of the peace or other person duly authorized, visiting and inspecting the police settlement.

The serjeant, in case of insubordinate conduct among the privates, can place the offending party under arrest, &c. &c.

10. And be it enacted, by the authority aforesaid, that in the event of any insubordinate, refractory or mutinous behaviour among the privates at any police settlement, it shall and may be lawful for the serjeant to place the offending party under arrest, and detain the offender until a communication can be made to and an answer received from the nearest special justice of the peace for the district.

In cases of emergency, any special justice of the peace can summon to his assistance any number of police officers from any other police settlement.

11. And be it enacted, by the authority aforesaid, that in all cases of emergency, it shall and may be lawful for any special justice of the peace to summon or cause to be summoned, either by signal or otherwise, to his assistance, any number of police officers from any other police settlement, and the person having charge of such other police settlement not himself being a special justice, shall furnish the said assistance.

Any police officer, upon reasonable cause being shown, can enter upon any plantation within the district, and search for absentees, &c.

12. And be it enacted, by the authority aforesaid, that it shall and may be lawful for any police officer in uniform, upon reasonable cause being shown to him to enter upon any plantations and estates within the district, and to search for absentees, and every employer or person having the charge of any apprenticed labourer shall, as soon as possible after he or she shall have obtained the knowledge that any one or more of such apprenticed labourers has or have absented himself, herself or themselves without the permission or sanction of such employer or person having such charge as aforesaid, make such report thereof to any special justice of the peace for the district, who shall thereupon direct and authorize any police officer of his district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees; it being hereby declared that the fee for the capture of such runaway shall be at the rate of ten livres per head if in the country and five livres per head if in town, and no more, to be paid by the employer of such absentee: provided always, that if any person or persons shall presume to obstruct or in any way molest, disturb or ill-treat any officer of the police or any constable in the execution of their duties pursuant to this ordinance, the person or persons so offending shall severally forfeit and pay for every such offence, on conviction before any special justice of the peace, a sum not exceeding 500 livres, to be levied by warrant of distress under the hand and seal of the special justice of the peace so convicting, upon the goods and chattels of such offender or offenders; and in default of payment or recovery of the fine by distress as aforesaid, such offender or offenders shall and may be imprisoned for any time not exceeding 30 days.

In case of martial law being proclaimed, the police placed under the immediate command of the Governor or other person in military command.

13. And be it enacted, by the authority aforesaid, that in case of martial law being proclaimed in this said Island, the said police officers, in each judicial district, shall be, and come under the immediate command of the Lieutenant-Governor, or other person in military command for the time being, and they shall be employed in such service as the Lieutenant-Governor, or other person in military command shall direct, in the same way and manner as the militia of the said Island, and be subject to the same rules and regulations, pains and penalties which may be in force at the time in regard to the said militia.

Privates of the police when not on actual duty, to be employed in repairing the buildings, &c.

14. And be it enacted, by the authority aforesaid, that when the privates at each police settlement are not engaged in actual duty, it shall and may be lawful to compel each and every private to work and labour, not exceeding six hours per day, Sundays and holidays excepted, in the erecting and repairing the buildings and other places at each settlement, and also to work and labour in cultivating any ground which may have been purchased, appropriated and set apart for the special use of the members of the police settlement as provision grounds.

Apprenticed labourers condemned to imprisonment, may be compelled to work and labour in whitewashing, cleansing the buildings, &c.

15. And be it enacted, by the authority aforesaid, that all apprenticed labourers who shall have been condemned to imprisonment in any house of correction, with hard labour, in the penal gang at each police settlement, shall be placed under the immediate superintendence of the serjeant of police; and such apprenticed labourers shall and may be compelled to work and labour during a space not exceeding 10 hours in each and every lawful day, in erecting, repairing or in whitewashing every three months, and in cleansing daily, the buildings and houses of correction at each police settlement, or in working upon or repairing the roads and highways, or other public works in the district, or in cultivating any such ground so appropriated and set apart as aforesaid for the use of the police settlement.

Apprenticed labourers, when confined, to be furnished with good wholesome food at the public expense.

16. And be it enacted, by the authority aforesaid, that each apprenticed labourer of the age of 10 years and upwards, so confined as aforesaid, shall, during the period of such his or her detention, be furnished, at the public expense, with an allowance of good, wholesome, average, merchantable food, according to the usual gaol allowance: provided always, that

that every such apprenticed labourer shall, during his or her detention in such house of correction, and labouring under any acute or dangerous disease, be entitled to such and the same medical attendance, and the use of such medicines or nourishment, as he or she may be entitled to claim from his or her employer, under section 16, c. 4, of the Royal Order in Council of 5th June 1834.

Persons furnishing spirituous liquors to apprenticed labourers under confinement, subject to a fine or to imprisonment, with or without hard labour.

17. And be it further enacted, by the authority aforesaid, that if any person or persons shall attempt or endeavour to convey, furnish or supply spirituous liquors to any apprenticed labourers so confined and detained, without the express sanction and authority in writing, from any special justice of the peace for the district, to convey, furnish or supply spirituous liquors, such person or persons so offending shall, for every such offence, on conviction before any justice of the peace for the district, forfeit and pay a fine which shall not be less than 10 livres, nor exceed 100 livres current money, to be recovered by warrant of distress, in manner aforesaid, or to imprisonment, with or without hard labour, for a term not exceeding eight days.

Male apprenticed labourers to be kept apart from females.

18. And be it enacted, by the authority aforesaid, that all male apprenticed labourers so condemned and detained as aforesaid, shall be kept separate and apart from all female apprenticed labourers also so condemned and detained, and all communication and intercourse between the sexes shall be rigorously interdicted.

Classification of condemned apprenticed labourers.

19. And be it enacted, by the authority aforesaid, that condemned apprenticed labourers shall be classified as follows; that is to say, apprenticed labourers convicted of indolence, carelessness or negligence in performing their work, shall form the first class.

Apprenticed labourers convicted of absence from work, and running away from the service of their employers, shall form the second class.

Apprenticed labourers convicted of drunkenness and disobedience of lawful commands, shall form the third class.

And apprenticed labourers convicted of unlawful combination, or of conspiracy and open resistance to the lawful commands of their employer, shall form the fourth class.

Punishment of apprenticed labourers for misconduct.

20. And be it enacted, by the authority aforesaid, that any apprenticed labourers, so detained as aforesaid at any house of correction, who shall be convicted of committing any uncleanliness, or behaving in any riotous, insubordinate or disorderly manner, or who shall be found, or proved to have been in a state of intoxication, or who shall wilfully injure or destroy any tools or implements, or any other thing whatsoever, or who shall effect, or attempt to effect his, her or their escape from such houses of correction, shall be liable, on conviction, to suffer such punishment as a special justice of the peace may legally award.

The penal gang to be mustered every evening, and prayers read to them.

21. And be it enacted, by the authority aforesaid, that it shall be the duty of the serjeant, or other person in charge of each police settlement, to make a muster of the penal gang every evening, and to read or recite, or cause to be read and recited, in an audible voice, in presence of the assembled condemned apprenticed labourers, the usual evening prayers.

Apprenticed labourers condemned to the penal gang, to wear a distinguishing mark or marks.

22. And be it enacted, by the authority aforesaid, that all apprenticed labourers, so condemned to the penal gang at such houses of correction as aforesaid, shall, whilst so employed in any work, wear such distinguishing mark or marks thereon as the Lieutenant-Governor may be pleased to appoint; and any person harbouring or concealing any prisoner of the penal gang, who may have effected his or her escape therefrom, or taking off or assisting any of the penal gang to take off or to conceal his or her mark, shall, on conviction for every such offence before any special justice, forfeit and pay a sum not exceeding 40 livres, current money of this said Island, or to suffer imprisonment, with hard labour, at any public gaol of the Island, for a period not exceeding 48 hours.

Apprenticed labourers sworn in as constables, when called upon to assist in the pursuit or apprehension of runaways, to receive a remuneration.

23. And be it enacted, by the authority aforesaid, that when any apprenticed labourer, appointed and sworn in as a constable, shall be called upon and required to assist in the pursuit or apprehension of, or shall himself arrest any runaways or other disorderly apprenticed labourers, such constable shall receive the whole, or a proportionate part of the remuneration, at the same rate of capture-money as the police officers themselves would receive for every person so apprehended and committed to safe custody.

Rural Police empowered to arrest persons of suspicious character, or who are vagrants.

24. And be it enacted, by the authority aforesaid, that it shall be lawful for any police officer to stop and detain any person or persons of a suspicious character or who are vagrants, and without ostensible business in the quarter or district, or without any visible means of subsistence, or refusing to give a good account of himself or herself, or if known to be an idle and disorderly person, and shall convey such person or persons, without any unnecessary delay, before the nearest justice of the peace for the said island, or for any quarter of the same, to be dealt with by him according to law.

No suit or action can be brought against any police officer or constable after the expiration of six months.

25. And be it enacted, by the authority aforesaid, that no suit or action shall be brought against any police officer or constable in respect of any act, matter or thing by him done and performed in the exercise of his office, under and in pursuance of this present Ordinance, unless the same shall be commenced within six calendar months after the cause of action occurred, and until 14 days' notice thereof in writing shall have during these six months been given to such police officer or constable; and if any such suit or action shall be commenced against any such police officer or constable within the said period of six months, and with the written notice aforesaid, and if such police officer shall at any time before trial tender to the plaintiff sufficient amends for any wrong or injury in respect of which the same

same may be brought, and submit to pay the costs of suit, then upon proof made to the court at the time of such suit or action, that such amends have been so tendered and were sufficient, judgment shall be given to the plaintiff to the amount so tendered, subject however to the deduction therefrom of the costs of the defendant. ST. LUCIA. Appendix (B.)

26. And be it enacted, by the authority aforesaid, that all fines recovered under and by virtue of the present Ordinance, shall go and be applied to the public uses of this Colony. Appropriation of fines.

27. And be it enacted, by the authority aforesaid, that this present Ordinance shall take effect and be in force within the said Island of St. Lucia, and the dependencies thereof, from and after the day of the promulgation hereof.

— No. 63. —

St. Lucia.

COPY of an ORDINANCE, "For amending and explaining part of the 12th Clause of an Ordinance respecting the Duties of the Rural Police, in apprehending Absentee Apprenticed Labourers, in the Island of *St. Lucia*."—(Passed 15th June 1835.) No. 63.

WHEREAS by an Ordinance bearing date the 1st day of December 1834, intituled, "An Ordinance, by the Lieutenant-Governor and Legislative Council of St. Lucia, enacting and ordaining certain Rules and Regulations respecting the Rural Police Establishments, and respecting Houses of Correction and Penal Gangs within the Island of St. Lucia," it is by the 12th clause thereof enacted and ordained, that it shall and may be lawful for any police officer in uniform, upon reasonable cause being shown to him, to enter upon any plantations or estates within the district, and to search for absentees; and any employer or person having the charge of any apprenticed labourer shall, as soon as possible after he or she shall have obtained the knowledge that any one or more of such apprenticed labourers has or have absented himself, herself or themselves without the permission or sanction of such employer or person having such charge as aforesaid, make such report thereof to any special justice of the peace for the district, in order that measures may be forthwith adopted for the apprehension of such absentee or absentees: And whereas it is necessary to amend and explain that part of the said twelfth clause of the said recited Ordinance as respects absentees; Now therefore be it, and it is hereby enacted, by his Excellency Sir Dudley St. Leger Hill, knight, lieutenant-governor and commander-in-chief in and over this said Island of St. Lucia and its dependencies, and vice-admiral thereof, by and with the advice and consent of the Legislative Council of Government, in exercise of the powers and authority in him and them vested by His Majesty in that behalf, that no apprenticed labourer shall be deemed and taken to be an absentee in terms of the said recited Ordinance, unless such apprenticed labourer shall be a deserter, or a vagabond, or a runaway, or be found in any place more than five miles distant from his, her or their residence, excepting in his, her or their way to or from some place of public worship, or to or from any public market, and not having with him, her or them a written pass, for that or any other purpose, from his, her or their employer, or from the special justice of the district, in terms of the Royal Order in Council of 5th June 1834.

And be it enacted, by the authority aforesaid, that this Ordinance shall take effect and be in force within this Island and the dependencies thereof, from and after the day of the promulgation thereof.

HONDURAS. HONDURAS.

— No. 64. —

COPY of an ORDER in COUNCIL, for establishing a Registry of Slaves in the Settlement of *Honduras*. No. 64.

At the Court at Brighton, the 24th day of January 1834:

Present, The King's most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament made and passed in the 3d and 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" after reciting, that in the settlements in the occupation of His Majesty and of His Majesty's subjects in Honduras, no law is in force for the registration of slaves; and that doubts might be entertained respecting the authority of His Majesty, with the advice of his Privy Council, to make laws binding on His Majesty's subjects therein, it is declared and enacted, that it is and shall be lawful for His Majesty, by any order or orders to be by him for that purpose made, with the advice of his Privy Council,

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Appendix (B.)

Order in Council. No. 64.

Council, to establish a registry of slaves for the purposes of this Act, within the said settlement; and that all laws made by His Majesty for the government of his said subjects, shall, for the purposes of the said Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any Colonies subject to the legislative authority of His Majesty in Council are or can be: Now, therefore, in pursuance and exercise of the powers by the said Act in His Majesty vested, or thereby declared to belong to him, and in exercise and in virtue of all other powers vested in His Majesty by His royal prerogative, His Majesty, by and with the advice of His Privy Council, doth order, and it is hereby ordered, that there shall be established within His Majesty's settlements at Honduras, a public registry for the registration and enrolment of the names and descriptions of all negroes, mulattoes and mustees, who now are held in a state of slavery within the said settlements.

And it is hereby further ordered, that within the term of one month from and after the arrival of this present order at Honduras, and the receipt thereof by the superintendent of His Majesty's subjects there, for the time being, the same shall be publicly notified to the inhabitants of the said settlements, in such manner as to the said superintendent shall seem most fit and effectual; and the said superintendent shall forthwith proceed to appoint some fit and proper person then resident there, to the office of registrar of slaves for the said settlements; which person, before he enters on the execution of his said office, shall take the following oath before the said superintendent:

"I, *A. B.*, do solemnly promise and swear, that I will not willingly or knowingly make, or permit or suffer to be made, any false or fraudulent entry, erasure or obliteration in the registry of slaves to be committed to my charge; but if any such false or fraudulent act shall become known to me, will immediately give notice thereof to the superintendent of His Majesty's subjects at Honduras, for the time being, and will in all respects faithfully and uprightly perform the duties of the office of registrar of slaves for these settlements.

"So help me God."

And the said person so appointed to the said office of registrar of slaves shall also, before he enters on the execution of his said office, become bound by bond or recognizance to His Majesty, his heirs and successors, with two sufficient sureties, to be approved by the said superintendent, himself in the penal sum of 1,000 *l.*, and his sureties each in the sum of 200 *l.* sterling money, with condition for the faithful performance by him the said registrar of all the duties of his said office; and in case of the death, absence or incapacity of the said registrar, or any avoidance of the said office, a new registrar shall be in like manner from time to time appointed by His Majesty, his heirs or successors, or by the superintendent for the time being, (until the royal pleasure, in respect of such appointment shall be signified), who shall take the same oath, and enter into like securities, before he enters on the execution of the said office.

And it is hereby further ordered, that the said superintendent shall also forthwith proceed to provide a proper and convenient office within or near the town of Belize, for the sole purpose of the registry hereby established, wherein the books and papers belonging thereto may be at all times safely kept.

And it is hereby further ordered, that the said registrar shall forthwith provide a large blank paper book, strongly and durably bound, for the purpose of the registry and enrolment hereinafter directed, to be intituled, "Registry of Slaves;" in which said book shall be entered and registered, in manner hereinafter directed, the names and descriptions of all slaves within or belonging to the said settlement.

And it is hereby further ordered, that within one calendar month from and after the public notification of this order in Honduras, as aforesaid, every person who shall be then resident in the said settlements, and who shall then own or be in possession of any slave or slaves whatsoever, within the said settlements, whether as proprietor, mortgagee, trustee or receiver, manager or attorney, or otherwise howsoever, whatever his tenure of or title to the same may be, shall respectively make and deliver, upon oath, to the registrar so to be appointed, such schedules, lists and particulars in writing, subscribed by him, her or them, to be called his or her original Return of Slaves, as are hereinafter mentioned; that is to say, every such person shall so make and return a schedule or list, in writing, containing, in the first place, the name and description of the present owner or owners of such slave or slaves, as well as of the person or persons then in possession of the same and making such return, and the right or character in which he, she or they then hold possession of and claim title to such slave or slaves, namely, whether as proprietor, lessee, mortgagee, sequestrator, guardian, committee, trustee, receiver, executor, administrator, attorney, manager or otherwise; and if such slave or slaves shall have been purchased or acquired within seven years prior to such return, then the name or names of the seller or former owner thereof; and after such descriptions as aforesaid of the owner or owners of such slaves respectively in the said schedule, the parties making the said returns shall proceed to name, describe and enumerate distinctly thereon the several negro, mulatto or other slaves then belonging to the same owner or owners, by distinct lists, in manner following; that is to say, in the first place, such schedule shall contain a list of all slaves who have husbands or wives, either by actual marriage or constant cohabitation, or who have parents or children, brothers or sisters among the slaves of the same owner or owners; which list shall be intituled, "The List of Families and Slaves of *C. D.* the Owner of Slaves;" in which list shall be inserted the name of the owner; and the said list shall be divided into as many sections as there are different families to be inserted therein; and each section shall be intituled, "The Family of *A. B.*," inserting the name of the superior relation, or where there are only brothers or other relatives of the same

same degree, the name of the elder individual of such relations; and each of the said schedules shall also contain two other lists, in one of which shall be inserted the names of such male slaves, and in the other of such female slaves, as have no wives or husbands, parents or children, brothers or sisters, among the slaves of the same owner or owners; which lists shall be respectively intituled, "General List of Male Slaves," and "General List of Female Slaves," belonging to *C. D.*

And all the slaves belonging to the same owner or owners shall be named and described in the said schedule respectively, in the particular lists or sections to which they respectively belong, in the manner and form following; that is to say,

The schedule or paper containing each of the said lists shall be divided into five perpendicular columns, of convenient breadths respectively intituled, at the heads thereof, "Names, Surnames, Colours, Employment and Age;" and the more clearly to distinguish the description of each particular slave, as many horizontal lines, with convenient spaces between them, shall be drawn across the said perpendicular lines or columns as are equal in number to the number of slaves to be inserted in each list.

And in the first of the said columns shall be inserted the name of baptism of each slave, if he or she shall have been baptized; and if not, the name by which he or she has been usually called and known. In the second of the said columns shall be inserted the surname or second name of the slave, if he or she has ever been called or known by any surname or second name; and if not, then in cases of family slaves included in the said lists of families, the name of the superior relation or elder individual; and in the cases of slaves who are included in the said general lists of males and females, such name as the owner or party making the return shall think fit to insert therein as the surname by which the slave and his or her lawful issue, or her natural issue, and their descendants respectively shall thereafter always be called. In the third of the said columns shall be inserted "Negro," "Mulatto" or "Mustee," as the case may be, of such designation of intermediate shades of colour within the limited degrees of slavery, if any, as are in use within the said settlements. In the fourth of the said columns shall be inserted the particular trade, occupation or ordinary employment of the slave, specifying in the cases of mechanics, artizans or handicrafts-men, the particular art or business in which he or she is usually employed; in the cases of family slaves, the particular domestic service or department in which he or she is usually employed. And in the fifth of the said columns shall be inserted the age of the slave, according to the best of the knowledge and belief of the owner or other party making the return.

And for the better ascertaining of the proper form of such returns of slaves as are hereby required to be made, so that no person may pretend ignorance thereof, such superintendent is hereby authorized and required to prepare, in such manner as to him shall seem most fit and effectual, a form or example of the returns hereby required to be made; and a printed copy thereof, with blanks to be filled up, according to the rules aforesaid, shall accordingly be provided by the registrar, to be appointed as aforesaid, and delivered by him to all persons applying for the same, at a price not exceeding three-pence for each printed copy.

And it is further hereby ordered, that every person making and subscribing any and every such schedule or return, shall personally deliver the same, either to the said registrar or to some other person that shall be by him appointed and deputed to receive such returns or schedules in the proper district of the said settlements in which the party making the same shall reside; and such party shall at the same time take the following oath, which the said registrar, and every person to be by him appointed and deputed as aforesaid, is hereby empowered and required to administer; that is to say,

"I, *A. B.* [name the deponent], do solemnly swear, that the schedule or return now by me delivered to be registered, contains, as I verily believe, a just, true and full return, account and description of all slaves now belonging to the owner or owners therein named, and being within these settlements, and that the said return is made by me according to the best of my knowledge and belief, truly and without fraud, deceit or evasion.

"So help me God."

And it is further hereby ordered, that within one calendar month, to be computed from the time hereinbefore appointed for the making and delivery of the said returns or schedules, every return or schedule that shall have been duly made and delivered to the said registrar, or any of his said deputies, shall by him, his clerks or assistants be entered and copied in a fair, distinct and legible manner, in the book to be by the said registrar appointed for the registry and enrolment of slaves, as aforesaid, under the name or names of the owners mentioned in the returns, which name or names shall be written in a large hand, at the top of every double page or folio containing such return: that every double page or folio of the said book, that is to say, the whole breadth of the book when open, from the left to the right-hand, shall be divided by perpendicular lines into five different columns of such breadth, and by horizontal lines into spaces of such dimensions as will most conveniently contain the various particulars hereinbefore directed to be returned in the said schedules or lists of slaves, leaving at the top of each folio a space for the name of the particular owner whose slaves are registered therein, which name shall be always therein written in large and distinct letters; and at the top of the first of the said five columns shall be written, "Names;" of the second, "Surnames;" of the third, "Colour;" of the fourth, "Employment;" and of the fifth, "Age:" and under each of the said titles in the said five columns shall be entered, according to the different schedules or lists returned, the particulars respectively contained in the same; and at the end of the registry of each original return shall be summed up and written in words at length, the whole number of slaves returned and registered as belonging to the owner or owners mentioned in such returns; that the pages of the said book shall

be distinctly numbered at the top of each double page or folio, from the beginning to the end of each book respectively, before any entry shall be made therein; and at the bottom of each page containing any registry of slaves, as well as at the end of the registry of each original return, the registrar shall subscribe his name at length, in testimony of the fidelity and accuracies of the entries therein contained.

And it is hereby further ordered, that no erasure shall on any pretence, or for any cause whatever, be at any time permitted to be made in the said books of registry; but if any clerical error shall occur in the insertion of any name or other particular in any schedule or return contained, or otherwise in the making up and keeping the said books of registry, a line of red ink shall be drawn through the word or words improperly inserted, so as to leave the original word or words legible; and the correction thereof, or any word or words which may have been erroneously omitted, shall either be interlined or written in the margin of such list or entry, and always, when practicable, by the same hand as the rest of the same list or entry; and the registrar shall, either under such word or words written in the margin, or under a mark of reference there made to any such interlineations, subscribe his name at length; but after the registry of original returns of slaves shall have been completed and certified upon oath as hereinafter directed, no interlineation, insertion or other correction of the registry of any such original returns, shall on any account be made or permitted, except as is hereinafter expressly provided.

And it is hereby further ordered, that an office copy, certified as such by the said registrar, of the registry of slaves belonging to any particular owner or owners, shall, at the request and charge of the owner or owners, or party or parties who made the return, be made and delivered to him, her or them by the said registrar, and for which there shall be charged no more than at the rate of 1 *d.* sterling for every slave therein named; and all persons shall have free liberty at all seasonable hours to inspect the said register books in the presence of the registrar or his assistants, for the purpose of ascertaining that the returns and lists by them, or on their behalf delivered, have been actually registered in manner aforesaid.

And it is hereby further ordered, that when and so soon as all the original returns or schedules, which shall have been delivered to the said registrar pursuant to this order, shall have been fairly entered and registered as aforesaid, which shall be done and completed within the term of two calendar months from and after the first public notification of this order in Honduras as aforesaid, the registrar shall give notice thereof forthwith to the superintendent for the time being, and such superintendent shall thereupon publicly notify to the inhabitants of Honduras, in such manner as he shall deem most fit and effectual, that the registry of slaves is ready to be verified before him, and is and will continue open at the proper office for the inspection of all persons who have made returns of slaves for insertion therein, for the term of one calendar month from the date of such notification, to the intent that they may be satisfied of the accuracy of the said registry; and that if any owners or possessors of slaves within or belonging to the said settlements have, from any accident or unavoidable impediment, hitherto omitted to return proper schedules or lists of their slaves into the said registry, as by this order required, they must immediately apply to the said superintendent, who, upon satisfactory proof that such omission has not been wilful, has power to make an order for the admission and registration of their returns or schedules by the registrar; but that if this remedy is not taken, so as to obtain such registration within the said term of one month, the omission cannot afterwards be supplied.

And it is hereby further ordered, that if, during the said last-mentioned term of one month, any owner or possessor, owners or possessors of a slave or slaves, shall apply to the said superintendent, and make it appear to his satisfaction that the non-delivery of his, her or their return or returns of slaves to the said registrar within the term formerly prescribed, has arisen from accident or some unavoidable impediment, and not from wilful neglect or delay, and shall then produce such his, her or their return or returns, and make oath before the said superintendent that no slave therein named has been imported or brought into the said settlements within six calendar months preceding, it shall and may be lawful for the said superintendent, if he shall think fit, to make an order in writing, by him subscribed, and addressed to the said registrar, commanding him to receive and register any such return or returns, as if the same had been delivered in due time; which order the registrar is hereby required to obey, so as any such new or further return may be registered in the said books in manner aforesaid, before the end of the said term of one calendar month last before mentioned.

And it is further ordered, that, at the end of the said last-mentioned term of one month, the said registrar shall proceed finally to close and authenticate the said registration of all the slaves in the said settlement, in manner following; (to wit) in the said book the said registrar shall write with his own hand, in large legible characters, immediately after the last entry of the said returns or lists of slaves, either on the same folio or double page, or on the back of the last leaf containing the same, "Here ends the original registry of the slaves of Honduras;" and the said registrar shall thereto subscribe his name, and below the said signature shall be written, in like characters, by the said registrar, the following affidavit:

"Before *A. B.* [inserting the name and title of the superintendent for the time being] personally appears *C. D.* [naming himself], the registrar of slaves in Honduras, who being duly sworn on the Holy Evangelists, makes oath and says, that he the said *C. D.* has twice carefully examined and compared all the preceding entries in this book with all the different returns of slaves delivered to him, or, to his knowledge or belief, to any deputy, clerk or assistant by him appointed; first, by examining the said entries, while his clerk or assistant read the original returns respectively entered therein; and afterwards by examining the said returns,

returns, while his clerk or assistant read the said entries in this book respectively made therefrom; and that he is enabled thereby to depose, and does depose, that the preceding registry of the slaves of Honduras is in all other respects correctly and faithfully made."

Which affidavit, being subscribed by the said registrar, shall be sworn before the said superintendent, who shall subjoin thereto the following certificate, under his hand and the great seal of the said Island:

"I, *A. B.* [inserting his name and title of office], do hereby certify, that the above affidavit was duly sworn before me this day of one thousand eight hundred and

"*A. B.*" (L. S.)

And it is hereby further ordered, that as soon as may be after the said original registry shall be closed and authenticated as aforesaid, the said registrar shall prepare accurate and perfect duplicates of both the said books of original registry, by causing the same respectively to be carefully transcribed into other books, of like sizes and forms, to be provided for that purpose, and shall authenticate and certify each of the said duplicates in the same manner and form in all respects as is hereinbefore directed in regard to the said originals respectively, except that in the affidavits and certificates to be thereunto annexed, the same shall be described as duplicates of the original registries; and the said duplicate books, when so authenticated and certified, shall be delivered by the said registrar to the superintendent for the time being, who shall by the first safe conveyance transmit the same under his official seal to His Majesty's Principal Secretary of State for the Colonial Department in England.

And it is hereby further ordered, that if the said registrar shall, in the exercise of any of the duties hereby imposed upon him, or any of the functions of his said office or otherwise, wilfully make, or knowingly permit or suffer to be made, any false or fraudulent entry in the said books of registry, or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or knowingly permit or suffer to be fraudulently erased, obliterated or altered, any entry which shall have been duly made in the said books of registry, or either of them, the said registrar shall, upon conviction of any such offence, not only be liable to all such pains and penalties as ought, by the laws in force within the said settlements at the time of such offence, to be inflicted upon persons convicted of forging or fraudulently altering public judicial records, but shall for ever forfeit his said office, and shall be incapable of ever after holding the same or any other public office within the said settlements, and shall moreover be liable to the civil suits or actions of all and every person or persons who shall sustain any damage or injury by any such offence, who, besides full reparation for such damage or injury, shall recover against such registrar double costs of suit; and if any deputy, assistant or clerk of the said registrar shall commit, or knowingly permit or suffer to be committed any such offence as aforesaid, he shall, upon conviction thereof, not only in like manner be liable to all such pains and penalties as ought by the said laws to be inflicted upon persons convicted of forging or fraudulently altering public judicial records, but shall forfeit such his office or employment, and be incapable of ever after holding the same or any other public office within the said settlements; and if any other person or persons shall wilfully make, or cause or procure to be made, any false or fraudulent entry in the said books of registry or either of them, or in the said accounts or abstracts, or shall fraudulently erase, obliterate or alter, or cause or procure to be erased, obliterated or altered, any entry which shall have been made in the said books of registry, accounts or abstracts, or either of them, every such person or persons so offending shall upon conviction not only be liable to all such pains and penalties aforesaid, but shall forfeit to His Majesty, His heirs or successors, all his and their estate, right, title, property and interest of, in and to any such slave or slaves that shall be the subject or subjects of any such false or fraudulent entry, erasure, obliteration or alteration.

And it is hereby further ordered, that if any person or persons making any such return of slaves as aforesaid, shall falsely and wilfully insert therein any name or names, description or descriptions of any slave or slaves, or pretended slave or slaves, belonging to any owner or owners, knowing that such slave or slaves, or pretended slave or slaves, as shall be so named or described, doth not or do not in fact belong, at the time of making such return to such owner or owners, any person or persons so offending shall forfeit for every slave or pretended slave so falsely returned, the sum of 100*l.* sterling money, to be recovered in such manner as any other penalty or forfeiture may be recovered in the said settlements by any law thereof, or any statute of this kingdom then in force therein, the one moiety thereof to the use of the superintendent for the time being, and the other moiety thereof to the use of such person as shall inform, sue and prosecute for the same: provided always, that no person shall be liable to any such penalty or forfeiture as last aforesaid, in respect of any slave or slaves which he shall prove to have been at the time of the return actually employed in the service of the asserted owner or owners to which the same were represented by such return to belong, although he shall not be able to prove that the property in such slave or slaves was such as was stated in the return, except when the prosecutor shall give evidence beyond the falsification of the return in the point of property, to show that the same was fraudulent or wilfully false.

And it is hereby further ordered, that from and after the said final closing and authentication of the said original registry of slaves in the said settlements, every slave within the said settlements not so registered as a slave, shall be deemed and taken to be the property of His Majesty.

And it is hereby further ordered, that the certificate of the said registrar, by him subscribed, certifying any extracts from the books in his office, shall be received in all courts and by all

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Appendix (B.)

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judges and others, as sufficient evidence of the authenticity of such extract, saving nevertheless to the party or parties against whom such evidence is adduced, the right of contradicting, impeaching or correcting the same by an inspection of and a comparison with the original book or books of registry in the said Island, or the duplicate thereof, to be transmitted to the said Secretary of State as aforesaid.

And it is hereby further ordered, that the said registrar shall be entitled to have and receive for every certificate by him given of any extract from or entry in the said registry, the sum of 10*s.* sterling, and for every 100 words therein contained beyond the first 100 words, the sum of 2*s.* like money, and no more, from the party requiring and obtaining the same; and for every search in the said registry, the sum of 5*s.* like money, and no more; which fees, and all other fees hereby appointed in sterling money, shall be calculated at the rate of exchange prevalent in the said settlements at the time of the service performed.

And the Right honourable Edward Geoffrey Smith Stanley, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

— No. 65. —

Honduras.

No. 65.

Copy of an ORDER in COUNCIL, dated 5th June 1834, for giving effect in the Island of *Honduras*, to the Statute 3 & 4 Will. IV. c. 73, for the Abolition of Slavery.

At the Court at St. James's, the 5th of June 1834:

Present, The King's most Excellent Majesty in Council.

Whereas by an Act passed in the 3d & 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," after reciting, amongst other things, "that in the settlements in the occupation of His Majesty and of His Majesty's subjects in Honduras, no law is in force for the registration of slaves, and doubts might be entertained respecting the authority of His Majesty, with the advice of his Privy Council, to make laws binding on His Majesty's subjects therein," it is declared and enacted, "that it is and shall be lawful for His Majesty by any order or orders to be by him for that purpose made, with the advice of his Privy Council, to establish a registry of slaves for the purposes of this Act within the said settlement; and all laws made by His Majesty for the government of his said subjects shall, for the purposes of this Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any Colonies subject to the legislative authority of His Majesty in Council are or can be:" And whereas in pursuance of the said Act His Majesty hath this day, by the advice of his Privy Council, made a certain Order in Council for carrying the said Act into effect within the Island of Trinidad, of which order a copy is hereunto subjoined: And whereas it is expedient that the regulations for the government of apprenticed labourers should throughout His Majesty's possessions to which the said Act applies, as nearly as may be, and having regard to the variety of local circumstances in such several possessions, be of one uniform tenor: And whereas the state and circumstances of society in the said settlement of Honduras are in many respects peculiar, and differ essentially from the state and circumstances of society as existing in the said Island of Trinidad, and other His Majesty's Colonies in the West Indies: And whereas by reason of the variety and minuteness of such distinctions, it is necessary that provision should be made for the adaptation of the said Order in Council to the case of Honduras by some local authority: Now, therefore, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the said settlements of Honduras, it is hereby ordered by His Majesty, by and with the advice of his Privy Council, that the said Order in Council for the said Island of Trinidad shall, save as hereinafter mentioned, extend to and be in force within His Majesty's said settlements at Honduras, upon, from and after the 1st day of August in this present year 1834: Provided nevertheless, and it is further ordered, that it shall be lawful for the superintendent for the time being of the said settlements, by any proclamation or proclamations to be by him from time to time for that purpose issued, to suspend any part or parts of the said Order which he shall consider inapplicable to the state and circumstances of society in the said settlements, and by any such proclamation or proclamations to adapt the said Order in Council, or any part or parts thereof, to the state and circumstances of society in the said settlements: provided always, that no such proclamation shall in any respect be repugnant to or inconsistent with any thing in the said Act of Parliament contained: And it is further ordered, that the said superintendent shall transmit to His Majesty or to one of his Principal Secretaries of State, copies of any such proclamations for His Majesty's approbation or disallowance: provided also, that no such proclamation shall by the terms thereof be made to operate and take effect, or to be binding upon His Majesty's subjects within the said settlements, until the same shall first have been approved by His Majesty, save only in cases in which it shall appear to the said superintendent for the time being that the delay incident to obtaining His Majesty's approbation of any such proclamation would subject His Majesty's subjects in the said settlement to serious inconvenience, in which cases any such proclamation may by the terms thereof be made to operate and take effect, and to be binding upon

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His

His Majesty's subjects aforesaid, either from the day of the date thereof, or from any such other time as shall be therein for that purpose appointed, until His Majesty's pleasure shall be known.

And the Right honourable Thomas Spring Rice, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *C. C. Greville.*

— No. 66. —

No. 66.

DOCUMENT showing Alterations which His Majesty's Superintendent has deemed it necessary and expedient to make in the RULES and REGULATIONS under the Slave Abolition Act, which have been made by His Majesty in Council for the Island of *Trinidad.*

CAP. I.—*Of Judicial and Ministerial Agency to be employed.*

No. 1.—Settlement of Belize to be divided into two districts, to be called "North and South Districts." Northern district all north of River Belize, and Southern district all south of River Belize.

Nos. 2, 3, 4, 5; No alteration.

No. 6; Justices to make use of the gaol of Belize for confinement and punishment of offenders.

Nos. 7, 8, 9, 10, 11; No alteration.

No. 12; Special justices to have power and authority in gaol of Belize over all offenders placed therein under their authority.

Nos. 13, 14, 15, 16, 17, 18, 19; No alteration.

CAP. II.—*On Procedure to be observed by the Special Magistrates in the exercise of their Jurisdiction.*

Nos. 1, 2; No alteration.

No. 3; Special magistrates to be in readiness to proceed to any mahogany work or other place, when required so to do by owners, apprentices, or directions from His Majesty's superintendent, or when they (the magistrates) may see occasion so to do.

Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29; } No alteration.

CAP. III.—*On the Division of Apprenticed Labourers into their respective Classes.*

Nos. 1, 2, 3, 4, 5, 6, 7; No alteration.

Nos. 8, 9, 10; For the purposes of this and the two preceding clauses, a chief judge to be represented in this settlement by a bench of magistrates.

Nos. 11, 12, 13; No alteration.

CAP. IV.—*On the Maintenance of the Apprenticed Labourers.*

No. 1; No alteration.

Nos. 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15; The operation of the clauses from 2 to 15 inclusive, suspended, with the clear understanding that the arrangements heretofore observed in this settlement with respect to food, clothing, lodging and labour, shall continue to be acted upon the same as heretofore, both on the part of the employers and apprentices.

No. 16; The part of this clause which refers to the visits of medical practitioners to the mahogany works being impracticable is suspended, but all employers are bound, on any occasion of sickness or accident, to obtain the advice and assistance of a medical practitioner with as little delay as possible.

No. 17; Employers of apprentices liable to the penalties of this clause, under the exceptions made in the preceding clause.

No. 18; No alteration.

CAP. V.—*On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their non-performance.*

Nos. 1, 2; These clauses are governed by the alterations made in the clauses from 2 to 15 in the preceding chapter.

Nos. 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14; No alteration.

No. 15; In addition to the stocks, a particular dress to be worn as a part of the punishment.

No. 16; No alteration.

CAP. VI.—*On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their non-performance.*

Nos. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11.

No. 12; This and the preceding eleven clauses are suspended in reference to the exceptions made with respect to food, clothing and labour in the preceding chapter; it being, however, understood, that any complaints on the parts of employers or apprentices will still be open to the examination and decision of the special magistrates.

Nos. 13, 14; No alteration.

HONDURAS.

Appendix (B.)

Order in Council. No. 66.

CAP. VII.—*On Offences which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.*

No. 1; Flag to be red and white.
Nos. 2, 3, 4; Suspended, being inapplicable.
Nos. 5, 6, 7, 8, 9, 10, 11; No alteration.
Nos. 12, 13, 14, 15, 16; Suspended, being inapplicable.
No. 17.

CAP. VIII.—*On the Dissolution of the Apprenticeship by Contract or Appraisement.*

Nos. 1, 2, 3; No alteration.
Nos. 4, 5, 6, 7, 8, 9, 10, 11, 12; With respect to the clauses from 4 to 12 inclusive of this chapter, it is to be understood, that the civil chief judge alluded to therein must be represented by a bench of magistrates, and that the grand court be considered the supreme civil court in this settlement.

CAP. IX.—*On the Removal of Prædial Apprenticed Labourers from one Plantation to another.*

Suspended, being inapplicable.

CAP. X.—*On the Apprenticeship of Children.*

No. 1; No alteration.

CAP. XI.—*On the Alienation by Sale, Inheritance or Will of the Services of Apprenticed Labourers.*

No. 1, 2; No alteration.

CAP. XII.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

Applicable.

No. 67.

—No. 67.—

HONDURAS ORDER.

At the Court at St. James's, the 12th day of August 1835:

Present, The King's most Excellent Majesty in Council.

WHEREAS by a certain Act of Parliament, passed in the 3d and 4th year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;" it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for ascertaining with reference to each apprenticed labourer within the said Colonies respectively, whether he or she belongs to the class of attached prædial apprenticed labourers, or to the class of unattached apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for determining the manner and form in which, and the solemnities with which the voluntary discharge of any apprenticed labourer from such his or her apprenticeship may be effected, and for prescribing the form and manner in which, and the solemnities with which the purchase by any such apprenticed labourer of his or her discharge from such apprenticeship, without, or in opposition, if necessary, to the consent of the person or persons entitled to his or her services shall be effected; and how the necessary appraisement of the future value of such services shall be made; and how and to whom the amount of such appraisement shall in each case be paid and applied; and in what manner and form, and by whom, the discharge from any such apprenticeship shall thereupon be given, executed, and recorded: And that it is also necessary, for the preservation of peace throughout the said Colonies, that proper regulations should be framed and established for the maintenance of order and good discipline amongst the said apprenticed labourers; and for ensuring the punctual discharge of the services due by them to their respective employers; and for the prevention and punishment of indolence, or the neglect or improper performance of work by any such apprenticed labourer; and for enforcing the due performance by any such apprenticed labourer of any contract into which he or she may voluntarily enter, for any hired service during the time in which he or she may not be bound to labour for his or her employer; and for the prevention and punishment of insolence and insubordination, on the part of any such apprenticed labourer towards their employers; and for the prevention or punishment of vagrancy, or of any conduct on the part of any such apprenticed labourers injuring, or tending to the injury of the property of any such employer; and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers; and for preventing the escape of any such apprenticed labourers, during their term of apprenticeship, from the Colonies to which they may respectively belong: And that it will also be necessary, for the protection of such apprenticed labourers as aforesaid, that

that various regulations should be framed and established in the said respective Colonies, for securing punctuality and method in the supply to them of such food, clothing, lodging, medicines, medical attendance, and such other maintenance and allowances as they are, by the said Act, declared entitled to receive; and for regulating the amount and quality of all such articles in cases where the laws at present existing in any such Colony may not, in the case of slaves, have made any regulation, or any adequate regulation for that purpose: And that it is also necessary that proper rules should be established for the prevention and punishment of any frauds which might be practised, or of any omissions or neglects which might occur, respecting the quantity or the quality of the supplies so to be furnished, or respecting the periods for the delivery of the same; and that it is necessary, in those cases in which the food of any such prædial apprenticed labourers as aforesaid may, either wholly or in part, be raised by themselves, by the cultivation of ground to be set apart and allotted for that purpose, that proper regulations should be made and established as to the extent of such grounds, and as to the distance at which such grounds may be so allotted from the ordinary place of abode of such prædial apprenticed labourers, and respecting the deductions to be made for the cultivation of such grounds from the annual time during which such prædial apprenticed labourers are hereinbefore declared liable to labour: And that it may also be necessary, by such regulations as aforesaid, to secure to the said prædial apprenticed labourers the enjoyment, for their own benefit, of that portion of their time during which they are not hereby required to labour in the service of their respective employers, and for securing exactness in the computation of the time, during which such prædial apprenticed labourers are hereby required to labour in the service of such their respective employers: And that it is also necessary that provision should be made for preventing the imposition of task-work on any such apprenticed labourer, without his or her free consent to undertake the same; but that it may be necessary, by such regulations in certain cases, to require and provide for the acquiescence of the minority of the prædial apprenticed labourers attached to any plantation or estate, in the distribution and apportionment amongst the whole body of such labourers of any task-work, which the majority of such body shall be willing and desirous collectively to undertake; and that it is also necessary that regulations should be made respecting any voluntary contracts into which any apprenticed labourers may enter with their respective employers, or with any other person, for hired service for any future period, and for limiting the greatest period of time to which such voluntary contract may extend, and for enforcing the punctual and effectual performance of such voluntary contracts on the part both of such apprenticed labourers, and of the person or persons engaging for their employment and hire: And that it is also necessary that regulations should be made for the prevention or punishment of any cruelty, injustice, or other wrong or injury which may be done to or inflicted upon any such apprenticed labourers, by the persons entitled to their services; and that it is also necessary that proper regulations should be made respecting the manner and form in which such indentures of apprenticeship as aforesaid, shall be made on behalf of such children as aforesaid, and respecting the registering and preservation of all such indentures: And that it is also necessary that provision should be made for ensuring promptitude and despatch, and for preventing all unnecessary expense in the discharge by the justices of the peace, holding such special commissions as in the said Act mentioned of the jurisdiction and authorities thereby committed to them, and for enabling such justices to decide in a summary way such questions as may be brought before them in that capacity, and for the division of the said respective Colonies in districts, for the purposes of such jurisdiction, and for the frequent and punctual visitation by such justices of the peace of the apprenticed labourers within such their respective districts; and that it is also necessary that regulations should be made for indemnifying and protecting such justices of the peace in the upright execution and discharge of their duties; and that such regulations as aforesaid could not, without great inconvenience, be made, except by the respective Governors, Councils and Assemblies, or other local legislatures of the said respective Colonies, or by His Majesty, with the advice of his Privy Council, in reference to those Colonies to which the legislative authority of His Majesty in Council extends:

It is therefore enacted and declared, in and by the said Act, that nothing therein contained extends or shall be construed to extend to prevent the enactment by the respective Governors, Councils and Assemblies, or by such other local legislatures as aforesaid, or by His Majesty, with the advice of his Privy Council, of any such Acts of General Assembly or Ordinances, or Orders in Council, as may be requisite for making and establishing such several rules and regulations as aforesaid, or any of them, or for carrying the same, or any of them, into full and complete effect: Provided, nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinance or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order, which shall be in anywise repugnant or contradictory to the said recited Act, or any part thereof; but that every such enactment, regulation, provision, rule or order shall be, and is thereby declared to be, absolutely null and void and of no effect:

And whereas it is by the said Act further enacted, that all laws made by His Majesty for the government of His Majesty's subjects in Honduras shall, for the purposes of the said Act, be as valid and effectual as any laws made by His Majesty in Council for the government of any Colonies subject to the legislative authority of His Majesty in Council are or can be: And whereas, in pursuance of the said Act, His Majesty did, on the 5th day of June 1834, by the advice of his Privy Council, make a certain Order in Council for carrying the said Act into effect within the island of Trinidad: And whereas, by a certain other Order of

HONDURAS.

Appendix (B.)

Order in Council. No. 67.

His Majesty in Council, also dated on the 5th day of June 1834, after reciting that it was expedient that the regulations for the government of apprenticed labourers should, throughout His Majesty's possessions, to which the said Act applies, as nearly as might be, and having regard to the variety of local circumstances in such several possessions, be of one uniform tenor; and that the state and circumstances of society in the said settlement of Honduras were, in many respects peculiar, and differed essentially from the state and circumstances of society as existing in the said Island of Trinidad, and other His Majesty's Colonies in the West Indies; and that, by reason of the variety and minuteness of such distinctions, it was necessary that provision should be made for the adaptation of the said Order in Council to the case of Honduras by some local authority; It was, in pursuance of the said recited Act of Parliament, and for carrying the same into effect within the said settlements of Honduras, ordered by His Majesty, by and with the advice of His Privy Council, that the said Order in Council for the said Island of Trinidad should, save as thereinafter mentioned, extend to and be in force within His Majesty's said settlement at Honduras, upon, from and after the 1st day of August 1834: Provided, nevertheless, and it was further ordered, that it should be lawful for the superintendent for the time being of the said settlements, by any proclamation or proclamations to be by him from time to time for that purpose issued, to suspend any part or parts of the said order which he should consider inapplicable to the state and circumstances of society in the said settlements, and by any such proclamation or proclamations, to adopt the said Order in Council, or any part or parts thereof, to the state and circumstances of society in the said settlements: And it was thereby provided, that no such proclamation should in any respect be repugnant to or inconsistent with any thing in the said Act of Parliament contained: And it was further ordered, that the said superintendent should transmit to His Majesty or to one of his Principal Secretaries of State, copies of any such proclamations for His Majesty's approbation or disallowance; and it was thereby also provided, that no such proclamation should, by the terms thereof, be made to operate and take effect, or to be binding upon His Majesty's subjects within the said settlements, until the same should first have been approved by His Majesty, save only in cases in which it should appear to the said superintendent for the time being, that the delay incident to obtaining His Majesty's approbation of any such proclamation, would subject His Majesty's subjects in the said settlements to serious inconvenience, in which cases any such proclamation might, by the terms thereof, be made to operate and take effect, and to be binding upon His Majesty's subjects aforesaid, either from the day of the date thereof, or from any such other time as should be therein for the purpose appointed, until His Majesty's pleasure should be known:

And whereas the said superintendent of the British settlements at Honduras, in pursuance of the powers in him in that behalf vested by the last recited Order in Council, hath made and established certain regulations for adapting to the state and circumstances of those settlements, the provisions of the Order made by His Majesty in Council for giving effect to the said Act for the Abolition of Slavery within the Colony of Trinidad:

And whereas His Majesty, having this day taken into consideration the regulations so made as aforesaid by the said superintendent, hath been pleased to approve thereof: Now it is hereby ordered by His Majesty, that the said regulations shall be, and the same are hereby confirmed and allowed:

And whereas it is, by the said Act of Parliament, amongst other things enacted, that no part of the sum of twenty millions sterling shall be applied, or be applicable to the purposes in the said Act mentioned, for the benefit of any person then entitled to the services of any slave in any of the Colonies in the said Act mentioned, unless an order shall have been first made by His Majesty, with the advice of his Privy Council, declaring that adequate and satisfactory provision hath been made by law in such Colony, for giving effect to the said Act, by such further and supplementary enactments as aforesaid; nor unless a copy of such Order in Council, duly certified by one of the clerks in ordinary of His Majesty's Privy Council, shall, by the Lord President of the Council, have been transmitted to the Lords Commissioners of His Majesty's Treasury, or to the Lord High Treasurer for the time being: Now, therefore, in further pursuance and exercise of the powers in His Majesty in Council, by the said recited Act in that behalf vested, His Majesty, with the advice of his Privy Council, doth declare, and it is hereby declared, that adequate and satisfactory provision hath been made by law in the said settlements at Honduras, for giving effect to the said recited Act of Parliament, by such further and supplementary enactments as therein are mentioned:

And the Lord President of the Council, and the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, are to give the necessary directions herein as to them may respectively appertain.

C. C. Greville.

— No. 68. —

Anno Quarto Gulielmi IV. Regis.

Bahama Islands.

AN ACT auxiliary to an Act of the Imperial Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves."—(Passed February 15, 1834.)

Whereas in and by an Act of the Imperial Parliament of Great Britain and Ireland, of the third and fourth years of Your Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it is among other things enacted, that all persons who, on the first day of August in the year of our Lord one thousand eight hundred and thirty-four, shall have been registered as slaves in the Colony, and shall appear by such registration, to be on that day of the full age of six years and upwards, shall, on the said first day of August in the year one thousand eight hundred and thirty-four, by force and virtue of the said Act, become apprenticed labourers to their last owners for two certain terms of years; that is to say, all prædial apprentices until the first day of August in the year one thousand eight hundred and forty; and non-prædial apprentices until the first day of August in the year one thousand eight hundred and thirty-eight; and that, subject only to such apprenticeship as aforesaid, all persons who on the said first day of August in the year one thousand eight hundred and thirty-four, shall have been lawfully registered as slaves as aforesaid, shall, on that day and thenceforth be, to all intents and purposes free and discharged of and from all manner of slavery, and absolutely and for ever manumitted: And whereas in and by the said Act of Parliament it is declared necessary that various rules and regulations should be framed and established, for ascertaining, with reference to each appointed labourer as aforesaid, whether he or she is to belong to the class of attached prædial apprenticed labourers, or to the class of unattached prædial apprenticed labourers, or to the class of non-prædial apprenticed labourers, and for other purposes, in the said above-recited Act more particularly and at large set forth, to carry into more complete effect the intentions of the Imperial Legislature in this behalf, which rules and regulations could not without great inconvenience be made, except by the local Legislature of the Colony; and therefore it is, in and by the said Act of Parliament, further enacted and declared, that nothing in that Act contained should extend or be construed to extend to prevent the enactment by the Governor, Council and Assembly of any such Acts of the General Assembly as may be requisite for making and establishing of such several rules and regulations as aforesaid, or any of them, or for carrying the same or any of them into complete effect; May it please Your Majesty, that it may be enacted, and be it enacted, by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor in and over the Bahama Islands, the Council and Assembly, and it is hereby enacted and declared by the authority of the same, That all colonial laws, usages, acts of Assembly, ordinances and rules, of whatsoever nature and however established, so far as the same in any manner establish, recognize, confirm, countenance or favour slavery, or are or were intended for the regulation of the same, or for the government, protection or punishment of slaves, as distinguished from the other inhabitants of these Islands, shall on the said first day of August in the said present year one thousand eight hundred and thirty-four, be and the same shall remain altogether repealed, and for ever after cease to be of any authority, force or effect whatsoever in this Colony: Provided however, that so far as any person or persons, by reason of having manumitted any slave or slaves, when incapable of labour by reason of old age, sickness or infirmity of body or mind, now is or are or at any time before the said first day of August in this said year as aforesaid, shall become liable for the maintenance of such manumitted slave or slaves, all such Acts of Assembly, or such parts of the same as provide for such maintenance and enforce the same, shall be and remain in full force for and during the natural life or lives of the person or persons manumitted or to be manumitted under such circumstances as aforesaid, any thing hereinbefore contained to the contrary notwithstanding: Provided also, that all persons having heretofore incurred or who shall hereafter, and before the said first day of August in this present year one thousand eight hundred and thirty-four, incur any pains, penalties, forfeitures or other liabilities under or in virtue of an Act of the General Assembly passed in the tenth year of the reign of his late Majesty King George the Fourth, intituled, "An Act to amend, consolidate and bring into one Act the several Laws relating to Slaves, and for giving them further protection and security, and for suspending several Acts and Clauses of Acts therein mentioned, and for other pur oses;" or by reason of any neglect or contravention of the provisions, ordinances or regulations therein contained, relative to the food, clothing or other allowances or treatment of slaves, may and shall be prosecuted for the same, as well at any time after as before the said first day of August in the same year aforesaid, in the same manner and form and to the same effect as if this Act had not been passed, any thing hereinbefore contained to the contrary notwithstanding: Provided no such prosecution shall be commenced after the expiration of six months from and after the said first day of August next.

Preamble.

All Colonial Slave Laws, &c. repealed after 1st August 1834.

except as regards liabilities to support the aged and infirm.

Penalties incurred under Slave Laws, must be sued for within six months from 1st August 1834.

2. And be it further enacted, that all persons who on the said first day of August in the same year aforesaid shall become apprenticed labourers as aforesaid, and who on that day shall be and have been employed on lands belonging to the person or persons entitled to the services

Who shall be prædials attached to the soil.

vices of the said apprentices respectively, in agriculture or in the manufacture of colonial produce or otherwise; that is to say, in or about the cultivation of the soil, or other labour necessary to the production of sugar, silk, cotton, salt, corn or other grain, grass, ground provisions, fruits or esculent vegetables, or in the felling of timber or other trees or brush-wood, or in blasting or in breaking up of rocks or otherwise clearing of land for the purpose of cultivation or otherwise, or in the tending and raising for sale or otherwise, of horses, mules, asses, black cattle, sheep, hogs, or the like stock, or in the carrying or otherwise conveying such produce, manufactures or stock as aforesaid by land carriage to market, whether as actual labourers, cattle-drivers, or in the capacity of overseers, drivers, managers or the like, shall be and be held and considered as prædial apprenticed labourers attached to the soil, within the meaning of this Act, and of the statute of the Imperial Parliament to which this Act is auxiliary as aforesaid; and all plantations and other lands in which the person or persons entitled to the services of any such apprenticed labourer or labourers as aforesaid, shall for the time have an estate of inheritance, or which shall be by him, her or them held as tenants by courtesy or lease for one or more life or lives, or any certain term of years, and all salt ponds and pans for the raking or manufacturing of salt, in the occupation of him, her or them, entitled to the services of any such apprentice or apprentices as aforesaid, and all lots and parcels of land by him, her or them occupied, in virtue of any permission or other authority to that effect, directly or indirectly from the Crown, in the vicinage of such salt ponds or elsewhere, shall be held and considered as lands the property of all such occupants, within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid.

Who prædials unattached

3. And be it further enacted, that all persons who on the said first day of August in this same year aforesaid, shall become apprenticed labourers as aforesaid, and who shall on that day be, and shall have been employed on lands not belonging to the person or persons entitled to the services of the said apprentices respectively, in agriculture or in the manufacture of colonial produce or otherwise; that is to say, in such work, labour or other employment as in the next preceding section of this Act is more particularly set forth and described, shall be held and considered as prædial apprenticed labourers not attached to the soil within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid.

Persons described in the two preceding sections to be prædial attached or unattached to the soil, as the case may be.

4. And be it further enacted, that when any apprenticed labourers as aforesaid, whose ordinary, usual or habitual employment while slaves as aforesaid, within the time limited as aforesaid, may be and shall have been as in the two immediately preceding sections of this Act is set forth, all such apprenticed labourers shall be and be held and considered as prædial apprenticed labourers as aforesaid (attached or not attached to the soil, as the case may be) within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, notwithstanding that during certain intervals of time in which labourers, from the general or particular nature of the season, or weather, or other sufficient cause, are not usually so engaged, the said apprentices, while slaves as aforesaid, shall have been employed within the time aforesaid in hunting wild cattle, fishing or killing, or taking wild fowl or other game, or the like, for their own use or that of the plantations, settlements or establishments to which they may have belonged or been attached, or in wood-cutting, building of cabins, huts or sheds, setting up stone or wooden fences, cutting of drains, or the breaking up of hulks or other like work, shall be and be held and considered as prædial apprenticed labourers (attached or not attached to the soil, as the case may be), within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, any thing hereinbefore contained to the contrary notwithstanding: Provided, however, that when any apprenticed labourer as aforesaid shall be of the full age of twelve years or upwards on the said first day of August in this present year aforesaid, such apprentice shall not then be or afterwards become prædial, either attached or unattached to the soil, unless he or she shall then be and have habitually been employed as aforesaid in the cultivation of the soil or otherwise as aforesaid, from the twenty-eighth day of August in the year one thousand eight hundred and thirty-two, to the said first day of August in this present year one thousand eight hundred and thirty-four, but shall then be and thence remain non-prædial; any thing hereinbefore contained to the contrary notwithstanding.

Proviso.

Persons of the age of 12 years and upwards on 1st August 1834, shall be considered non-prædials, unless they have been habitually employed in agriculture, &c. &c. from 28th August 1832, to 1st August 1834.

Who are to be non-prædials.

5. And be it further enacted, that all apprenticed labourers as aforesaid, whose ordinary usual or habitual employment on the said 1st day of August in this same year aforesaid, shall not be or not have been, as hereinbefore set forth and described in and by the three immediately preceding sections of this Act, shall be and be held and considered as non-prædial apprenticed labourers within the meaning of this Act, and of the statute to which this Act is auxiliary as aforesaid, and as such shall be dealt with accordingly.

Apprentices may hold real and personal property.

6. And be it further enacted, that all apprenticed labourers as aforesaid, notwithstanding their obligation of servitude as aforesaid, by reason of their apprenticeship as aforesaid, shall be capable of acquiring by inheritance, or otherwise holding, enjoying and aliening all manner of property, real as well as personal, within these Islands, and competent to maintain and defend all manner of suits in relation to the same, as any other free persons within the same,

May owe and be sued, prosecuted, &c.

and shall be duly amenable to all the laws of the Colony as others are or may be, and liable to be tried and punished for all contravention or violation of the same, or neglect of duties or the like, required by the same, in the same manner and form and to the same effect as other free persons, except only as is otherwise hereinafter provided in and by this Act, or has been provided by the statute to which this Act is auxiliary as aforesaid.

7. And

How apprentices may be discharged from any expired term of their apprenticeship.

7. And be it further enacted, that when any person or persons entitled to the services of any apprenticed labourer as aforesaid, shall be desirous of discharging such apprentice from any unexpired part of the term of his or her apprenticeship, it shall be lawful so to do, by any instrument of writing to that effect under the hand or hands of the person or persons so entitled to his or her services as aforesaid, in the presence of, assented to and attested by some one or more justice or justices of the peace specially commissioned as such in virtue of and according to the provisions of the statute to which this Act is auxiliary as aforesaid; and it shall be lawful, and the duty of such justice or justices of the peace, to withhold his or their consent to such discharge, should the person about to be discharged be above the age of fifty years, or labour under any such disease or bodily infirmity as would render him or her incapable of earning his or her own subsistence: Provided nevertheless, that should any such apprenticed labourer as aforesaid be desirous of being discharged, notwithstanding his or her age or infirmities as aforesaid, and shall satisfy the said justice or justices of the peace as aforesaid that he or she hath the means of maintaining himself or herself, and that he or she is not likely to become burdensome to the country for subsistence, such apprentice may be lawfully discharged as aforesaid, any thing hereinbefore contained to the contrary notwithstanding; and any apprenticed labourer as aforesaid, though not discharged as aforesaid, may depart from the Colony for any limited or indefinite time, and in any capacity, with the permission of the person or persons entitled to his or her services, and a passport or license to such effect from the Governor; and any such apprentice leaving or attempting to leave the Colony without such permission and passport or license, and all those counselling or in any manner assisting such apprentice in his or her unlawful departure or intended departure, shall be held and taken as guilty of an offence against this Act, and be proceeded against and punished as is hereinafter provided; but all such apprenticed labourers who shall be habitually employed in navigation, as pilots, mariners, fishermen, or the like, and registered as such in the office of the special justice of the district to which such apprentices shall belong, shall not be precluded from exercising their usual vocations, among and beyond these Islands, on any voyage whatsoever, with the permission and by the authority alone of those entitled to their services, any thing hereinbefore contained to the contrary notwithstanding.

How claims for the discharge from any involuntary servitude by any apprentice to be investigated and determined.

8. And be it further enacted, that when any justice of the peace commissioned as aforesaid, shall from information to him given, have good reason to believe or suspect that any person held in servitude as an apprenticed labourer as aforesaid, who although registered as a slave before the first day of August in this present year one thousand eight hundred and thirty-four, was then entitled to his or her freedom, or that he or she since that time shall have, by any means become lawfully entitled to a release from involuntary servitude, as an apprenticed labourer, as aforesaid, such justice shall cause the person or persons employing such asserted apprentice to be summoned to appear before him, to defend his, her or their claim to the services of the said asserted apprentice; and in default of the appearance of the party so summoned, or some person or persons on his, her or their behalf at the time and place first appointed, the same party shall be again summoned, and if like default be again made, the said justice shall proceed in the matter *ex parte*; and if after a full hearing and investigation of the question in a summary way *ex parte*, or otherwise, and in which the contending parties or either of them may be heard by counsel, the said justice shall be of opinion that the apprentice is entitled to enfranchisement, as aforesaid, he shall give judgment accordingly, and cause a certificate of such judgment to be transmitted to the secretary of the Colony, to be recorded in a book to be by him kept for that purpose, but not until after the expiration of twenty-eight days next after such certificate shall have been lodged in his office; and if within the said twenty-eight days any party claiming the services of such asserted apprentice shall enter an appeal to His Majesty's General Court of these Islands against the judgment of the said justice, by lodging a document to that effect in the office of the prothonotary of the said court, and notice of such appeal be given to the said secretary, the said certificate shall not be recorded nor the judgment be of any effect until such proceedings shall be had thereupon, as is hereinafter directed; but if the said justice shall be of opinion that the asserted apprenticed labourer is not entitled to enfranchisement, the party claiming the services of such apprenticed labourer shall have judgment in the premises, with a right of appeal to the said general court by any party dissatisfied with such judgment.

Appeal from the decision of a Special Justice to the General Court.

Mode of proceeding of General Court in the premises.

9. And be it further enacted, that upon any appeal being entered as aforesaid, it shall and may be lawful for the said general court, if in time, or if in vacation for any judge of the said court to direct the justice against whose decision such appeal shall have been entered, to certify and return his judgment with the minutes of evidence upon which such judgment was founded, to the said general court without delay; and such judgment and minutes being so certified and returned to the said court, an order shall be made upon the first court day afterwards, for the trial of such apprenticed labourer's claim to enfranchisement by such form of action as to the said court shall appear most fit and proper; and the verdict and judgment upon such trial given shall be binding and conclusive against all and every person and persons who shall be a party or parties to the same: provided always, that upon good and sufficient cause shown, the said court may in any case grant a new trial.

In actions for enfranchisement, nominal damages only to be insisted on. Proviso.

10. And be it further enacted, that in any such action as aforesaid, the apprenticed labourer's title to enfranchisement, shall be only insisted on, and nominal damages only shall be awarded: provided always, that it shall and may be lawful for any asserted apprenticed labourer, in whose favour judgment shall have been given in any such action, forthwith to have

An asserted apprenticed labourer obtaining judgment in such suit in his favour, may maintain an action for wages from the time he made known his claim to enfranchisement.

have and maintain another suit, and recover reasonable wages or damages upon a *quantum meruit* from the defendant or defendants, for such time only as it shall appear that such person had made known his or her claim or title to enfranchisement to such defendant or defendants.

The interest of one person to the service of an apprenticed labourer may be sold or otherwise transferred to any other person except at public auction.

Transfer to be in writing.

Such sale or transfer not to have the effect of separating man and wife, parent or child, under 14 years of age.

11. And be it further enacted, that the right, title and interest of any person or persons in and to the services of any apprenticed labourer as aforesaid, shall and may pass and be transferable by bargain and sale, gift, contract, deed, conveyance, will or descent, in like manner and form as a like interest in any goods and chattels or personal property generally may pass or be transferable, according to the now existing laws of the Colony: provided however, that no such bargain and sale, gift, contract or other conveyance as aforesaid, shall be valid, unless reduced to writing, and such writing be signed by the proper party, attested by one or more competent and literate witness or witnesses, and duly, in the presence of such witness or witnesses delivered to the party in whose favour such conveyance shall be made, save and except in the case of written and nuncupative wills, respecting which the laws already in force shall continue so to be: provided however, that any such bargain and sale, gift, contract, deed, conveyance or will as aforesaid, which if valid, would have the effect of separating any such apprenticed labourer from his or her wife or husband, parent or child, (such child being under the age of fourteen yerrs), or from any person or persons reputed to bear any such relation to him or her, shall not, so far as relates to the transfer of any such husband and wife, parent and child, be valid or effectual in law, for any purpose or purposes of transfer whatsoever; and any person or persons executing and delivering any such unlawful bargain and sale, gift, contract, deed or conveyance, shall be held and taken as having offended against this Act; and on conviction thereof, shall pay a fine of not less than 10*l.* nor more than 20*l.*, to be recovered with costs of the prosecution, as is hereinafter provided: and provided also, that the interest of any person or persons in the services of any apprentices as aforesaid, shall not be subject or liable to execution or sale, under judicial process or otherwise, on account of any debt or damages for which a judgment shall have been or may hereafter be obtained against such person or persons; nor shall the body of any such apprentice, at any time during the term of his or her apprenticeship, be subject or liable to arrest under mesne process in any civil suit, or any manner of imprisonment under judicial process, on account of any debt or damage for which judgment shall have been or may hereafter be obtained against any such apprentice as aforesaid, under any circumstances or pretext whatsoever: and provided, that no such transfer shall take place at public auction.

Manumission *invito domino*.

Mode of valuing apprentices wishing to purchase their time.

12. And be it further enacted, that should any such apprenticed labourer as aforesaid, or any other person or persons on behalf of such apprentice, be desirous of purchasing his or her release and discharge from such apprenticeship, or so much of the term of the same as shall be at any time unexpired, and the party entitled to the services of such apprentice as aforesaid, shall not assent to such purchase; or should any difference arise between the party entitled to the services of the apprentice and the party proposing to purchase as aforesaid, as to the value or price of the interest of the party entitled to the services of the apprentice, it shall be the duty of any one or more justice or justices of the peace, specially commissioned as aforesaid, to whom the matter in dispute may be referred by either party, to cause two appraisers to be named, one by each of the contending parties; and should the appraisers disagree, then an umpire also to be named and appointed by the said justice or justices of the peace, and to summon the said appraisers, and when necessary the said umpire also, to inquire into and determine the value and fix the price of such interest as aforesaid, of the party entitled to the services of the said apprentice, and the party so entitled shall be bound to receive the price so to be fixed by the said appraisers or either of them, with the umpire as aforesaid, in full satisfaction of his, her or their loss of the services of the said apprentice for and during the unexpired remainder of his or her term of apprenticeship: provided however, that each of the said appraisers and the umpire, (when an umpire is required), previous to entering on the business of such appraisement, shall be severally sworn, fairly, justly and equitably, to the best of their skill and judgment respectively, to estimate the interest of the party entitled to the unexpired part of the term of the apprenticeship of such apprentice, with due regard not only to the general value of such interest, but also to any peculiar circumstances attending the particular case submitted, taking into consideration any special damages, loss or inconvenience to which the party entitled as aforesaid may be exposed, by reason of his, her or their being deprived of the services of such apprentice as aforesaid, and a minute of the proceedings as much at length as shall be necessary to show that the several forms above prescribed had been duly observed therein, being attested by the said justice or justices of the peace as aforesaid, and by the appraisers, or either of them, with the umpire as aforesaid, and recorded in the office of the secretary of the Colony, and the price awarded being duly paid or tendered to the party so entitled to the services of the apprentice, the said apprentice shall thereupon become and be altogether free and released and for ever discharged from all obligation of servitude by reason of his or her apprenticeship as aforesaid; and if on application to any one or more justice or justices of the peace specially commissioned as aforesaid, by or on behalf of any apprenticed labourer as aforesaid, for an appraisement as aforesaid, with a view to the discharge of such apprentice as aforesaid, the party entitled to the services of the apprentice shall not within a reasonable time name and produce on his, her or their behalf, an appraiser duly competent and willing to act as such in the premises, it shall be lawful for the said justice or justices of the peace to name and appoint an appraiser on behalf of the party so entitled as aforesaid, and the appraisement and other proceedings thereupon,

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thereupon, as aforesaid, shall be had, and be to all intents and purposes as good and effectual as if such last-mentioned appraiser had been named and appointed as is herein first above provided for.

In case of joint proprietors, one of them to represent the interest of all, for the purposes of this section of this Act.

13. And be it further enacted, that when two or more persons shall be jointly entitled to the services of any apprenticed labourer as aforesaid, whose release from service shall be about to be purchased as herein above provided for, any one of the persons so entitled, being of full lawful age, and not labouring under any disability to transact his or her own affairs, shall be competent to consent to and make a valid and complete release of the interest of all those so entitled as aforesaid; and to discharge the said apprentice from all obligation of servitude, by reason of his or her apprenticeship as aforesaid, as fully and effectually to all intents and purposes, as if the whole of those so entitled as aforesaid had joined in executing the said release and discharge as aforesaid; and when two or more persons shall be jointly entitled to the services of any apprenticed labourer as aforesaid, by or on whose behalf application shall be made to any one or more justice or justices of the peace specially commissioned as aforesaid, for an appraisement and other proceedings thereupon, as is hereinbefore provided for, with a view to release and discharge as aforesaid without the consent of the party so entitled as aforesaid, notice of such intended proceedings on any one of those entitled as aforesaid, being of full lawful age and not labouring under any disability to transact his or her own affairs, shall be sufficient, and the person so notified shall be competent and bound to name and produce an appraiser, as is hereinbefore provided for, and for all and singular the purposes of this Act, in relation to such appraisement and other proceedings thereupon as aforesaid, shall be held and considered as lawfully representing in that behalf all others so entitled as aforesaid, to the services of the apprentice; and all the proceedings as aforesaid, in, touching and concerning the premises, shall be as good and effectual to all intents and purposes as if the whole of those so entitled as aforesaid had personally appeared therein; and when any person or persons entitled to the services of any apprenticed labourer as aforesaid, shall be absent from this Colony, or a minor under the age of 21 years, or insane, lunatic, or from any other cause incapable of transacting his, her or their own affairs, then the person or persons employing or being in charge of the apprentice, shall be held and considered as lawfully representing the party so entitled as aforesaid, and all proceedings had against or with the said person or persons so employing or being in charge of the apprentice, with a view to the appraisement and release from service of the said apprentice, as is hereinbefore provided for, shall be as good and effectual to all intents and purposes, as if the same were had against or with him, her or them, actually in the first instance so entitled to the services of such apprentice as aforesaid.

The husband entitled to the services of the apprentice of the wife.

14. And be it further enacted, that when any single woman, while entitled to the services of any apprenticed labourer as aforesaid, shall marry, her husband shall thereby become and be for ever after entitled to his own sole use and that of his executors, administrators and assigns, to all the rights, title and interest in and to the services of such apprentice, that shall have been of his wife at the time of the marriage; provided, however, that nothing herein contained shall be construed or understood to invalidate any other dispositions of the said interests of the wife in the premises, by way of marriage settlement, or assignment or other conveyance to trustees, to the separate use of the wife or otherwise, executed at, before or after such marriage, by or with the consent of the husband.

Mode in which apprentices attached to the soil, may be removed with the consent of two Special Justices.

15. And be it further enacted, that in order to enable the employer or employers of any apprenticed labourer attached to the soil, to remove such apprentice from any one plantation, settlement or other establishment to another, with the consent of two justices of the peace specially commissioned as aforesaid, according to the provisions of the statute to which this Act is auxiliary as aforesaid, it shall be necessary that the said justices of the peace do certify their consent thereto, in writing, and deliver the said writing to the party desirous of making the proposed removal, to be by such party recorded in the office of the secretary of the Colony, in a book to be there kept for that purpose; and if any person shall remove any such apprentice without such consent, or on applying for such consent as aforesaid to any such removal, shall be guilty of any concealment or misrepresentation from or to the said justices of the peace, or either of them, whereby such apprentice shall be actually separated from his or her wife or husband, parent or child, (the child being under the age of 14 years), or any person or persons reputed to bear any such relation to him or her, the person so guilty, on being duly convicted of such concealment or misrepresentation, on a summary trial of the case before any one or more justice or justices of the peace, specially commissioned as aforesaid, shall pay a fine of not less than 10*l.* nor more than 20*l.*

Such consent to be in writing and recorded in Secretary's office.

Penalty on persons removing without such consent or for concealment or misrepresentation, whereby husband or wife, parent or child, (under 14 years of age) are separated.

Task-work may, by agreement, be substituted in lieu of labour by the day.

16. And whereas it has been found generally beneficial to planters, salt-rakers and others, in lieu of employing their labourers for and during any certain number of hours in each day, to apportion to each labourer a certain task to be on every working day by him or her performed; Be it further enacted, that it shall and may be lawful for all those employing prædial apprenticed labourers as aforesaid, to propose to the whole or to a portion of those by him or her so employed at any one plantation, settlement or establishment, a plan or rule or rules of task-work, duly committed to writing, and setting forth the quantity and description of task-work to be performed by each labourer, on each and every working day, according to their respective ages, sexes, strength and skill; and if a majority of the said labourers of the age of 14 years and upwards, and capable of working, and actually so employed together at any plantation, settlement or establishment as aforesaid, or a majority of the same, shall signify their assent to such plan or rule or rules of task-work, so proposed

Agreement to be in writing duly witnessed.

as aforesaid, in the presence of one or more competent and literate witness or witnesses, who shall attest the same, the agreement so entered into, but not otherwise, shall be binding on all parties therein concerned, for such length of time as shall be agreed upon and inserted in the said agreement, not in any case to exceed 12 calendar months from the date thereof; and any employer of any such prædial apprentice as aforesaid, who shall exact in any one day, from any such apprentice, any more labour than shall be stipulated for as aforesaid, and any such apprentice not performing his or her task according to agreement as aforesaid, without a reasonable excuse for not so doing, shall be considered as offending against this Act, and liable to be tried and punished as is hereinafter provided.

Agreement not to endure for a greater space than 12 months.

Breach of agreement punished.

When no agreement as to task-work is made, employers of apprentices not to work them more than nine hours every day, except Saturday and Sunday.

17. And be it further enacted, that when any person or persons employing prædial apprenticed labourers as aforesaid, shall not propose any such plan, rule or rules of task-work as aforesaid, or should the said labourers, or a majority of them as aforesaid, refuse to accede to any such when proposed, it shall be lawful for such employer or employers to cause the said labourers to work at their lawful vocations for and during nine hours, and no more, in each and every working day, over and above and altogether exclusive of the usual intervals for meals and rest, which being different in the several different situations and services in which labourers are employed, cannot without great risk of inconvenience to those concerned, be here particularly limited or defined; and at all plantations, settlements and establishments, at which more than twelve apprenticed labourers shall be employed, the commencement of the hours of labour on each working day, shall be announced by the audible ringing of a bell, or the sounding of a horn or shell, but not more than 20 minutes before sunrise, and the close of such working hours shall be in like manner announced, but not later than at the time of sunsetting.

Holy days, on which no work is to be performed.

Exception.

18. And be it further enacted, that Good Friday and every Sunday throughout the year shall be kept holy, and no prædial apprenticed labourer shall be compelled or suffered to do any manner of work thereon, with the exception of those employed in the tending of cattle, or the conveyance of produce or stock to market by water carriage: Provided however, that no cattle requiring the constant attendance of persons shall be suffered to go at large in open pastures or elsewhere, upon any holy day as aforesaid, but shall be stabled, penned or kept in some enclosure, so that as little attendance on them as possible may be needful on such days.

Prædial apprentice exempt from working for his employer on every Saturday throughout the year.

Employers may hire their apprentices on Saturday, &c., by mutual consent.

19. And be it further enacted, that no prædial apprenticed labourer shall be compellable to work for or on account of his or her employer or employers, on any Saturday throughout the year, the remaining five days of each week, from Monday to Friday, both inclusive, being hereby declared to be the only working days in each and every week, within the meaning of this Act, either as relates to task-work or working by the hour as hereinbefore provided for: Provided however, that it shall be lawful for all persons employing prædial apprenticed labourers, to agree with any one or more of them, to hire them or any one or more of them, for pay at some stipulated sum or other remuneration for any quantity and description of work which such labourer or labourers shall consent to perform on Saturdays by the hour or by the job, or otherwise as shall be agreed upon; and when any prædial apprenticed labourer shall be employed in task-work as hereinbefore provided for, and there may be some spare portion of any working day in which he or she shall not be compellable to work for his or her employer or employers, it shall and may be lawful for such employer or employers to agree with such labourer for pay at some stipulated sum, or other remuneration, for any quantity and description of work that such labourer shall consent to perform, by the hour or by the job, or otherwise as shall be agreed on, within the spare time aforesaid of such apprentice after the performance of his or her task as aforesaid: Provided however, that no such agreement or agreements as last aforesaid, either as relates to voluntary work for hire, or Saturdays or during spare times after the performance of tasks in working days, shall be binding on the parties to the same or either of them, unless such agreement or agreements shall be reduced to writing, and attested by at least one competent and literate witness, in whose presence such agreement shall be entered into.

Agreement not binding on either party, except in writing duly witnessed.

Allowances of food and clothing to apprenticed labourers, viz. on every Saturday to apprentices above the age of 10 years, one peck of unground Indian or Guinea corn, or 21 pints of wheat flour, or 7 quarts of rice, or 56lbs. of potatoes, cocoas or yams per week.
One-half of the above to children under 10 years of age.
Domestics to be fed and clothed as prædials; or an equivalent substituted.

20. And be it further enacted, that all persons employing apprenticed labourers as aforesaid, shall provide and give to every such apprenticed labourer as aforesaid, not being a domestic servant habitually employed as such, in actual attendance on the person or family of his or her respective employers, weekly, that is to say, on each and every Saturday throughout the year, the same allowances of food as owners of slaves are required by the existing laws of the Colony to supply to their slaves; *videlicet*, to every apprenticed labourer as aforesaid above the age of ten years, at and after the rate of one peck of unground Indian or Guinea corn, or 21 pints of wheat flour, or seven quarts of rice, or 56 pounds of potatoes, cocoas or yams per week, and one-half of the aforesaid allowance to every apprenticed labourer not being a domestic servant as aforesaid, below the aforesaid age of ten years; and all apprenticed labourers being domestic servants, shall be fed and clothed by their employers as prædial apprenticed labourers are required to be fed and clothed by this Act, or a proper equivalent shall be substituted to such domestics.

Employers of apprentices to provide them with wholesome lodging, and to allot to each above 14 years of age, one quarter of an acre of land conveniently situated,

21. And be it further enacted, that all persons employing prædial apprenticed labourers as aforesaid, shall provide them with wholesome lodgings as has heretofore been usual, and allot to each of the age of 14 years and upwards, the entire use of some certain piece of good arable land not less than one quarter of an acre, conveniently situated on or near the plantation, settlement or establishment at which such apprentices shall be employed; and shall also furnish each

each apprentice every six months; that is to say, immediately before Christmas and Midsummer in each and every year one suit of proper and sufficient clothing, or two suits at Christmas as aforesaid, and also one blanket or cotton rug once in three years.

and two suits of proper and sufficient clothing annually, or one suit half-yearly, and a blanket or rug once in three years.

22. And be it further enacted, that every plantation, settlement and other establishment at which any apprenticed labourers as aforesaid shall be employed, shall be at all times furnished with a sufficiency of all necessary medicines and extra nourishment fitting for the sick and convalescent, as has hitherto been usually kept, or ought so to have been, for the use of those employed at such like plantations, settlements and establishments as aforesaid; and all female apprentices bearing children, shall for four entire weeks after each childbirth be wholly exempt from labour of any kind, and on such childbirth shall receive from those employing them, for each newly born infant one pound of sugar or sirup weekly, for and during the term of six weeks after such births.

Medicine and extra nourishment for the sick to be kept on every plantation, &c.

The mother of every child born to be furnished with 1 lb. of sugar or sirup weekly, for each child, for six weeks after the birth.

23. And be it further enacted, that Christmas-day in every year, and the two working days (that is to say, not including Saturdays or Sundays), next after Christmas-day, shall be kept as holidays at every plantation, settlement and establishment where such apprentices are employed.

Christmas-day and the two following working days to be kept as holidays.

24. And be it further enacted, that it shall and may be lawful for persons employing apprenticed labourers as aforesaid, to allow the said apprentices, or any one or more of them, being above the age of ten years, any quantity of land, and time for the cultivation of the same, as shall be agreed on between the parties in lieu of the provisions and clothing, or either, as is allowed by this Act, or any other equivalent of a like or different nature; and also, that it shall and may be lawful for those employing apprenticed labourers as aforesaid, in lieu of the above-named allowances of provisions and clothing and the like, to pay the value of the same in money at the rate of ten per cent. above the market price of the articles respectively, to such of the said apprentices as shall agree to receive the same, in commutation as aforesaid; and any such agreement in order to be valid, shall be in writing and duly approved of and ratified by some justice of the peace specially commissioned as aforesaid.

In lieu of provisions and clothing, or either, employers may agree with their apprentices for an equivalent in land, time, money, &c.

Agreements to be in writing and approved of by some Special Justice.

25. And be it further enacted, that each and every offence not enumerated and set forth in and by this Act, as well as each and every offence in contravention of this Act, or any one or more of the provisions of the same, that shall be committed by the employer or employers or any apprenticed labourer as aforesaid, or any other person or persons whatsoever, against the person, property or just rights of any such apprenticed labourer, or by any such labourer against the person, property or just rights of his or her employer or employers, or any other person or persons whatsoever, shall and may be lawfully tried, in a summary way, by and before any one or more justice or justices of the peace specially commissioned as aforesaid, and the party tried shall, on conviction, suffer such punishment as is hereinafter provided; and the said justice or justices shall have full power and authority to issue all necessary process, in the nature of a warrant or the like, against the person and property, or either, in the alternative, or otherwise, of the party by him or them convicted, in order to carry into effect the judgments and sentences of such justice or justices in the premises, and compel the party convicted to pay the costs and charges of all such proceedings; and on the part of all apprenticed labourers as aforesaid, all breaches of the peace, all disturbance of order and good discipline among them, all indolence in or neglect or improper performance of work, all violation, evasion or disregard of contracts or agreements with their employers, all acts of insubordination, all insolence of language or manner to their employers or others, all disobedience of lawful orders, all injuries to the person, property, just rights or character of their employers or others, all attempts to injure the same, and all conspiracies or confederacies of two or more to commit any unlawful act whatsoever, shall be held and taken as offences against this Act, and the offender shall be punished accordingly; and in order to compel the attendance of all parties accused in the premises, as well as all necessary witnesses touching any offence as aforesaid, it shall be lawful for any such special justice as aforesaid to issue all necessary summonses in the nature of writs of subpœna or otherwise, or other process in lieu thereof as is hereinafter provided; and all disobedience to such process shall be held and taken as an offence against this Act, and punished accordingly: Provided however, that the judges of the General Court and the commissioners of the Court of Admiralty sessions shall retain as heretofore, exclusively, their proper jurisdiction in all cases of capital offences, and prosecutions for perjury and forgery, and such other high misdemeanors as any one or more justice or justices of the peace in and for these Islands, who shall in the first instance take cognizance of the same, shall deem proper subjects for investigation in the superior courts of criminal justice as aforesaid within the Colony.

Trial and summary punishment of offences under this Act.

Party convicted to pay the costs and charges of proceedings.

Judges of the General Court and Court of Admiralty Sessions to retain as heretofore their proper jurisdiction.

26. And be it further enacted, that any person or persons employing or having the charge or management of any apprenticed labourer as aforesaid, entitled to certain allowances of provisions, clothing and other necessaries, as in and by this Act is required, and in the same already particularly set forth, shall not provide and furnish such apprentice with good and wholesome provisions, clothing and other necessaries as aforesaid, in manner and form as in and by this Act is already provided, shall, on being convicted thereof by and before any one or more justice or justices of the peace specially commissioned as aforesaid, forfeit treble the value of the articles so unlawfully withheld, and also pay a fine to His Majesty of not less than 5 *l.* nor more than 20 *l.*, for the amount of which forfeiture and fine, with the costs of the prosecution, the said justice or justices of the peace shall cause to be levied, of the goods and chattels of the party convicted, by warrant under the hand or hands of such justice or justices of the peace,

Persons employing or having the management or charge of apprentices, not furnishing them with proper provisions and clothing, to forfeit, on conviction before any one Special Justice, treble the value of the articles withheld, and also pay a fine to the King of not less than 5 *l.* nor more than 20 *l.*,

and in default of payment, imprisonment for 30 days, unless the fine and costs are sooner paid.

peace, addressed to the provost marshal of these Islands, or to his lawful deputy, or to some lawful constable or other person or persons in the said warrant particularly named; and should not sufficient goods and chattels of the party convicted be found to satisfy the said warrant as aforesaid, the party convicted shall be imprisoned for the term of thirty days, unless such forfeiture, fine and costs as aforesaid shall be sooner fully paid, and the said warrant shall contain a clause to that effect accordingly.

Punishment of employers for offences against the person, property or just rights of any apprenticed labourer, where not otherwise prescribed, viz. fine and imprisonment, or either; fine not to exceed 20*l.* Imprisonment not to exceed 30 days.

27. And be it further enacted, that on the conviction of any employer or employers or other person or persons whatsoever, for any offence against the person, property or just rights of any apprenticed labourer as aforesaid, before any justice or justices of the peace specially commissioned as aforesaid, the punishment of which is not in and by this Act otherwise particularly provided for, the party so convicted shall suffer fine and imprisonment, or either, at the discretion of the said justice or justices of the peace; the fine for any one offence not to exceed 20*l.* and the term of imprisonment not to be more than thirty days, and for such fine, together with the costs of the prosecution and imprisonment, the said justice or justices of the peace shall issue his or their warrant, in manner and form as nearly as may be, as is in the next preceding section of this Act particularly provided; and all such fines when received shall go to His Majesty, his heirs and successors, in aid of defraying the expenses of this government: Provided, however, that when any apprenticed labourer as aforesaid shall have good and sufficient cause of civil action against any person or persons whatsoever, or any person or persons shall have good and sufficient cause of civil action against any apprenticed labourer as aforesaid, nothing in this Act contained shall be construed or understood to preclude any parties so aggrieved from pursuing their remedy respectively in the ordinary course of law before any court of competent jurisdiction: Provided nevertheless, that the judgment or sentence of any justice or justices of the peace specially commissioned as aforesaid, lawfully given or pronounced in pursuance of this Act, or any one or more of the provisions of the same, shall be a bar to any such civil suit as aforesaid, touching the same matter of complaint, of which the said justice or justices of the peace shall have had cognizance, and in which he or they shall have given judgment, or pronounced sentence as aforesaid: And whereas it is expedient that all such actions as aforesaid of apprenticed labourers as aforesaid should be rendered as little necessary as possible; Be it further enacted, that when for any offence whatsoever against the person, property or just rights of any such apprenticed labourer, any justice or justices of the peace specially commissioned as aforesaid, shall sentence the party convicted to any pecuniary forfeiture, mulct or fine (all which pecuniary forfeitures, mulcts and fines where not by this Act directed to be otherwise disposed of, shall go to His Majesty, his heirs and successors, in aid of defraying the expenses of this government) it shall be lawful for such justice or justices on the recovery of any such pecuniary forfeiture, mulct or fine, and before the same shall be paid into the treasury, out of the same to deduct, and to the party or parties in any such cases aggrieved to award and pay, or cause to be paid, such portion of the same as the said justice or justices shall deem a just compensation or satisfaction for the privations, losses or other injuries which such aggrieved party or parties shall appear to have sustained by reason of the premises.

Out of any forfeiture incurred for an offence against any party may be deducted a sum to compensate the party aggrieved for his privations, &c., at the discretion of the Special Justice.

Apprentices absenting themselves from their employers' service may be sentenced to work for their employers *two* hours for every *one* they may have so absented themselves,

28. And whereas it is necessary that proper regulations should be made for the maintenance of order and good discipline among the said apprenticed labourers, and for ensuring the punctual and efficient discharge of the services due by them to their respective employers, and the prevention and punishment of indolence or the neglect or improper performance of work by any such apprenticed labourer or labourers, and for the prevention and punishment of vagrancy or of any conduct on the part of any such apprenticed labourer or labourers, injury, or tending to the injury of the property of any such employer or employers, and for the suppression and punishment of any riot or combined resistance to the laws on the part of any such apprenticed labourers as aforesaid; Be it therefore further enacted, that any apprenticed labourer convicted before any justice or justices of the peace specially commissioned as aforesaid, of absenting himself or herself from the service of his or her employer, without a reasonable cause to be shown to the satisfaction of such justice or justices as aforesaid, shall be sentenced to labour for his or her employer two extra hours for every hour in which such apprenticed labourer shall have been so absent; provided, that such extra hours shall not exceed fifteen in the whole, in any one week.

Not however exceeding 15 hours in any one week.

Apprentices absenting themselves for any time exceeding seven and a half hours in any one week, adjudged a deserter and liable to one week's hard labour.

29. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for any time exceeding seven hours and a half in any one week, shall be adjudged a deserter, and sentenced to hard labour for any time not exceeding one week, in any house of correction or other place which the justice or justices before whom such conviction shall take place shall direct and appoint.

Apprentices absenting themselves without cause from the service of their employer for more than two days in one week, liable to be sentenced to two weeks' confinement and to 15 lashes.

30. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for two entire days during any week, shall be adjudged a vagabond, and sentenced to hard labour for any time not exceeding two weeks, in any house of correction or other place as aforesaid; and in addition thereto, if the justice or justices as aforesaid shall deem it proper, to receive any number of stripes not exceeding fifteen.

31. And

31. And be it further enacted, that any apprenticed labourer convicted as aforesaid of absenting himself or herself from the service of his or her employer or employers without reasonable cause to be shown as aforesaid, for one entire week, shall be adjudged a runaway, and sentenced to hard labour for any time not exceeding one month, in any house of correction or other place as aforesaid; and in addition thereto, if the justice or justices as aforesaid shall deem it proper, to receive any number of stripes not exceeding thirty.

Apprentices absent one entire week without cause, deemed a runaway and liable to be sentenced to one month's hard labour and 30 lashes.

32. And be it further enacted, that any apprenticed labourer convicted as aforesaid of neglecting or refusing to perform for his or her employer or employers any labour required by this Act, or of performing any such labour indolently, carelessly or negligently, or who shall be found fighting or in a state of drunkenness, shall for the first offence be sentenced to labour in his or her employer's service for any time not exceeding fifteen hours in the whole in any one week; for the second offence, to confinement with hard labour in any house of correction or other place as aforesaid, for any time not exceeding one week; and for the third or any subsequent offence, to confinement with hard labour as aforesaid, for any time not exceeding two weeks, and in addition thereto, at the discretion of the justice or justices as aforesaid, to receive any number of stripes not exceeding twenty.

Further punishments of apprentices.

33. And be it further enacted, that any apprenticed labourer who shall by the careless use of fire endanger the property of his or her employer or employers, or of any other person or persons, or who shall wantonly injure the property of such employer or employers entrusted to his or her care, or who shall ill use the cattle or other live stock of his or her employer or employers, or who shall by wilful negligence expose his or her employer or employers' property to any damage or injury, shall, upon conviction of any such offence before any justice or justices as aforesaid, be adjudged, in the discretion of such justice or justices, either to extra labour in the service of his or her employer or employers for any time not exceeding fifteen hours in the whole in any one week, or to confinement to hard labour in any house of correction or other place aforesaid, for any time not exceeding one calendar month, or to any number of stripes not exceeding thirty, or to any two or more of such punishments: provided always, that nothing in this enactment contained shall relieve or be construed to relieve any such apprenticed labourer from his or her liability to such actions or prosecutions as other persons of free condition may be subject and liable to, in respect of any such acts by him or her done or omitted to be done: provided however, that no apprenticed labourer as aforesaid shall be liable to be proceeded against by any civil action or prosecution for any of the offences aforesaid upon which any proceedings shall have been had against such apprenticed labourer under this Act, or the Act to which this is auxiliary.

Punishment of apprentices who, by the careless use of fire, &c., shall endanger his employer's property.

May, in addition, be prosecuted by civil action.

34. And be it further enacted, that any apprenticed labourer who shall contumaciously disobey the lawful commands of his or her employer, shall, upon conviction thereof as aforesaid, be sentenced to any one or more of the punishments in the last preceding clause detailed.

Punishment of apprentices for contumaciously disobeying the lawful commands of their employer.

35. And be it further enacted, that if any three or more apprenticed labourers shall be engaged in a combined and open resistance to the lawful commands of their employer or employers, or shall agree together to make any resistance to such lawful commands, such apprenticed labourers shall, upon conviction thereof before any justice or justices specially commissioned as aforesaid, be adjudged guilty of an unlawful conspiracy, and shall be sentenced to confinement to hard labour in any house of correction or other place as aforesaid, for any period not exceeding three calendar months, with or without whipping, at the discretion of the justice or justices as aforesaid, such whipping not to exceed thirty-nine stripes.

Punishment of a combined and open resistance to the lawful commands of their employer on the part of any three or more apprentices.

36. And be it further enacted, that on the conviction of any apprenticed labourer as aforesaid before any justice or justices of the peace specially commissioned as aforesaid, for any offence against the person, property, just rights or character of his or her employer or employers, or other person or persons whatsoever, the punishment of which is not in and by this Act otherwise particularly provided for, the party convicted shall be punished in the manner following; that is to say, by public or private whipping, imprisonment of offenders of either sex at hard labour or otherwise, solitary confinement, and placing the limbs of the delinquents in the stocks, publicly or privately, or any one or more of such modes of punishment, as aforesaid, so that the whole taken together shall not be excessive.

Punishment of offences not before provided for.

37. And be it further enacted, that to carry into effect the sentence of any justice or justices as aforesaid for any of the offences aforesaid, he or they shall issue his or their warrant in manner and form as nearly as may be as is hereinbefore particularly provided.

Mode of carrying sentences into effect.

38. Provided always, and be it further enacted, that no woman shall be subject to be punished by whipping for any offence by her committed; but that in all the offences hereinbefore enumerated for which corporal punishment is authorized, it shall be understood as applying only to the case of males, and that all such offences shall, when committed by females, be punished by solitary confinement, confinement in the stocks, or distinguishing marks or dresses: provided, however, that no female apprenticed labourer shall be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole in any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence.

Females not to be punished by whipping.

Substitution of other punishments.

Substitution of other punishments for offences in lieu of those before enumerated.

39. And be it further enacted, that in lieu of or in addition to any of the punishments hereinbefore enumerated, it shall and may be lawful for the justice or justices before whom any apprenticed labourer shall be convicted of being a deserter, vagabond or runaway, or of neglecting or unfaithfully performing his or her proper work, or of any other offence against this Act (contracts for pecuniary payments excepted), to sentence the party convicted, to labour for his or her employer or employers for and during any number of extra hours, not exceeding three in any one working day, or 12 on any Saturday, or 15 altogether in any one week, for one or more weeks, at the discretion of such justice or justices of the peace, and on such particular day or days in each week, Sundays and holidays as aforesaid always excepted, as the said justice or justices shall consider an adequate compensation to the said employer or employers, for the loss by him, her or them sustained by reason of the desertion, absence, negligence or other offence of the apprentice convicted of the same as aforesaid, and a certificate to that effect, under the hand or hands of any such justice or justices as aforesaid, shall be a sufficient warrant and authority to the employer or employers of such apprentice to compel the performance of such extra labour as aforesaid.

Runaways to serve an additional time equal to the period of their having been runaways.

40. And be it further enacted, that when any apprentice or apprentices as aforesaid shall desert from the service of his or her employer or employers, and remain absent from the same without leave of such employer or employers for more than 28 days at one time without reasonable cause, and be convicted thereof by and before any justice or justices of the peace specially commissioned as aforesaid, a certificate or certificates for such conviction for any such desertion or desertions as aforesaid, under the hand or hands of the justice or justices of the peace before whom such conviction or convictions shall have taken place, shall entitle the employer or employers of such apprenticed labourer to the further services of such apprenticed labourer, as such, after the expiration of his or her first term of apprenticeship, equal to the length of the time or times taken together (not exceeding seven years) that the apprentice shall have been absent once or oftener from the service of his or her employer or employers, by reason of the desertion or desertions of the said apprentice as aforesaid.

The hire of apprentices engaged to bring their employers' wages regulated by agreement; the same to be in writing,

and attested by a Special Justice.

41. And whereas slaves have frequently been hired to themselves, under agreement with their owners, to maintain, clothe and in every respect support themselves, and also pay to their owners certain stipulated wages in money, weekly, monthly or otherwise, and it is expedient that the same practice may be continued, under suitable regulations, with respect to apprenticed labourers; Be it further enacted, that any such contract as aforesaid voluntarily entered into by the parties thereunto; that is to say, between an apprentice with or without the whole or part of his or her family, being infants under the age of 14 years, and him, her or them entitled to the services of such apprentice or apprentices, shall be lawful and binding on all therein concerned; provided that such contract shall be in writing, approved of and attested by some justice of the peace specially commissioned as aforesaid, and shall be limited to some term not exceeding one year at any one time, and not otherwise under any circumstances whatsoever; and it shall be the duty of such magistrate, before he approves of any such contract, to satisfy himself by due inquiry, that the party to be hired is or are capable of earning his, her or their own subsistence, and that the rate of wages stipulated for in the same is just and reasonable; and the said magistrate shall take and keep a minute of the substance and date of every such contract, to be at all convenient times open to the inspection of those therein concerned: provided, however, that any monies which may become due by any such apprentice under any such contract, shall be recoverable only in the same manner as if due by a free person not being an apprentice as aforesaid, and in no other manner whatsoever; any thing in this Act contained to the contrary notwithstanding.

Monies due under any such agreement recoverable only as if the party were a free person.

In case of tumult or riot, a flag may be hoisted by a Special Justice as a warning to the rioters to disperse, and if they do not disperse in 10 minutes after the above signal, liable to three months' hard labour in prison.

42. And be it further enacted, that if any three or more apprenticed labourers shall unite together in any riot or tumultuous assemblage, it shall be lawful for any justice of the peace specially or generally commissioned to cause a flag or some other conspicuous signal to be exhibited, as a warning to all persons then present to separate and quietly disperse, and all apprenticed labourers who, at the expiration of ten minutes from the exhibition of such flag or signal, shall continue present at any such riotous assemblage, shall, on conviction thereof before any justice or justices specially commissioned as aforesaid, be liable to imprisonment with hard labour in any house of correction, or other place named and appointed by the justice or justices before whom such conviction shall take place, for any time not exceeding three months.

Penalty on apprentices establishing themselves in any part of the Colony as a distinct community, neglecting the duties imposed on them by this Act.

Such unlawful community to be dislodged.

43. And be it further enacted, that if it shall be made to appear to the satisfaction of any justice specially commissioned as aforesaid, that any apprenticed labourers have without lawful authority established themselves in any part of the Colony as a distinct community, habitually abandoning and neglecting to perform the duties imposed on them by this Act, it shall be lawful for such justice, and he is hereby required to cause any such community to be dislodged, and, if expedient, to cause any habitations there erected to be taken down and removed; and any apprenticed labourer convicted before any such justice of having been a member of any such community, shall be liable to imprisonment with hard labour in any house of correction, or other place named and appointed by such justice, for any term not exceeding three months, and if any male, to whipping by any number of stripes not exceeding thirty-nine.

Penalty on apprentices unlawfully taking possession of any of His Majesty's land or that of individuals.

44. And be it further enacted, that if any apprenticed labourer shall without lawful authority enter into possession of any land belonging to His Majesty, or to any other person, it shall be lawful for any justice specially commissioned as aforesaid, upon conviction before him

him of any such apprenticed labourer, to dispossess such labourer from such land and from any buildings thereon erected, and to cause the same, with all crops growing thereupon, to be delivered up to the owner of such land; or in case such owner shall not within thirty days after such seizure appear and prefer his claim, then the justice as aforesaid shall order the crops, cattle and other goods seized thereupon to be sold and disposed of by public auction, and the proceeds thereof shall be paid over by such justice to His Majesty's receiver-general and treasurer in and for these Islands, and shall be applied towards defraying the expenses of this government; and it shall and may be lawful for such justice as aforesaid, upon proof adduced to his satisfaction that such possession as aforesaid was taken fraudulently and with the knowledge that the party taking the same had no lawful claim to such possession, to adjudge any apprenticed labourer so unlawfully taking possession of any land as aforesaid to imprisonment with hard labour in any house of correction, or other place to be named and appointed by such justice, for any time not exceeding three months: provided always, that no summary process as aforesaid shall be resorted to in any case when any apprenticed labourer may have been two years in the undisturbed possession of any such land.

No summary process to be resorted to in ejecting apprenticed labourer from land in the undisturbed possession of which such apprentice may have been two years.

45. Provided always, and it is hereby further enacted, that nothing in this Act contained shall be construed or understood to preclude His Majesty, his heirs and successors, or the Governor of the Colony, in the name and on the behalf of His Majesty, his heirs and successors, from pardoning any offender, either freely and fully, partially or conditionally, who shall be convicted according to the provisions of this Act, or to remit wholly or in part any fine or forfeiture for which judgment shall be given in pursuance of the same; and when from any forfeiture or fine wholly or in part recovered or to be recovered, in pursuance of any sentence of any justice or justices of the peace as aforesaid, the said justice or justices shall award compensation to the party aggrieved, as in this Act is before provided for, such sentence as last aforesaid shall not be carried into complete effect, that is to say, as to the actual payment of such compensation as aforesaid, until the same shall be certified to the Governor, and be by him confirmed.

Not to prevent the Governor on behalf of His Majesty pardoning offenders.

46. And be it further enacted, that when any complaint made by any apprenticed labourer as aforesaid against his or her employer or employers, or any other person or persons whatsoever, to any justice or justices of the peace specially commissioned as aforesaid, shall after due examination appear to such justice or justices to be malicious, the party complaining shall be held guilty of an offence against this Act, and shall be punished for the same in manner and form as is in this Act before provided.

Apprentices making malicious complaints, to be punished.

47. And be it further enacted, that any apprenticed labourer as aforesaid, who shall in any manner counsel, assist, aid or abet any other such apprentice in deserting or unlawfully absenting himself or herself from the service of his or her employer or employers, or shall knowingly harbour, conceal or employ, or assist in the harbouring, concealing or employing of any such deserter, and be convicted thereof, shall suffer the like punishment as if he or she had been the deserter; and all others not being apprenticed labourers as aforesaid, in the like manner offending, shall be liable to a penalty of fifty pounds, to be recovered, with costs of suit, by action of debt or other fitting form of action, at the suit of His Majesty, *qui tam*, in any court of competent jurisdiction, by any person who shall sue for the same, one moiety to Your Majesty in aid of defraying the expenses of this government, and the remaining moiety to the person prosecuting for the same; and all persons so offending, whether apprentices as aforesaid or others, shall and may be punished as aforesaid, although the deserter shall not at the same time be or at any time before have been tried and convicted for his or desertion as aforesaid.

Penalty on apprentice unlawfully aiding, &c. other apprentices in deserting from the service of his employer, or in harbouring, concealing or employing any such apprentice.

48. And whereas by reason of the great distance of many of the numerous Islands composing this Colony from the seat of government and from one another, and the great distance also of many of the plantations, settlements and establishments in the same Islands respectively one from the other, and badness or total want of roads within the same, and the delay therefore that may frequently intervene between the perpetration of an offence by an apprenticed labourer as aforesaid, and the opportunity of taking the offender before any justice of the peace specially commissioned as aforesaid; Be it further enacted, that on every plantation the special justices shall appoint one or more of the apprenticed labourers thereon, with the consent of the master or manager, to be constables, who shall be empowered to maintain peace and order on such plantation, under the direction of the proprietor or manager thereof, and to secure and place in confinement any apprenticed labourer who shall commit any offence on such plantation, or any apprenticed labourer not employed on such plantation who may be found loitering thereon, without the knowledge or permission of the proprietor or manager thereof, such apprentice confined as aforesaid not to be kept in custody longer than shall be necessary to procure the attendance of the special justice: provided always, that if the attendance of a special justice cannot be procured within twenty-four hours, it shall and may be lawful for the proprietor or manager aforesaid to order the release of such apprentice so confined as aforesaid, after the expiration of twenty-four hours: provided nevertheless, that in the event of such apprentice being discharged as aforesaid, the proprietor or manager shall and he is hereby required to prefer the complaint on which such apprentice was confined before the special justice, when he shall next come upon the estate; and provided that nothing shall be construed to give to any such constable any power or authority over any of His Majesty's subjects, except such apprenticed labourers: provided always, that no person or persons entitled to the services of apprenticed labourers as aforesaid, or any other

Apprenticed labourers may be appointed Constables.

Power of such Constables.

Apprentice boys under the age of 14 years, and girls under the age of 12 years, may be chastised by their employer as children and youths in England may be chastised by their parents or guardians for petty offences.

other person or persons whatsoever, shall have authority to punish any such apprentice by whipping or otherwise, unless in pursuance of the sentence of some justice or justices specially commissioned as aforesaid, excepting only boys under the age of fourteen, and girls under the age of twelve years, who may be moderately chastised by their employers in the same manner as apprentices and other children and youths in England are, or may be there lawfully chastised by their parents or guardians, master or teachers, for idleness and other petty offences.

Apprentices may marry without any restriction from their employers.

49. And be it further enacted, that all apprenticed labourers as aforesaid, being single and of lawful age to marry, and not within the prohibited degrees according to law, may intermarry among themselves or with others with whom marriages may be lawfully contracted, and the same be solemnized by a minister of the church of England or of Scotland, or of some known religious sect, connexion or persuasion, or by some justice of the peace; and every such minister and justice of the peace shall, within twelve months next after the solemnization of any such marriage, transmit a certificate of the same to the secretary of the Colony, or some one of his lawful deputies, to be recorded in a book, to be for that purpose kept in the office of the said secretary at Nassau; and any such minister or justice of the peace neglecting so to transmit such certificate as aforesaid, shall incur a penalty of twenty pounds for such neglect, to be recovered with costs of suit, by action of debt, or other fitting form of action at the suit of His Majesty, *qui tam*, in any court of competent jurisdiction, by any person who may sue for the same, one moiety of which penalty when recovered shall go to His Majesty, in aid of defraying the expenses of this government, and the remaining moiety to the person suing for the same: provided always, and be it further enacted, that no marriage contracted by any female apprenticed labourer, shall confer on the husband any right, power or authority whatsoever, over or with respect to the wife, incompatible with her duties as an apprenticed labourer to her employer or employers.

Duty of person solemnizing any such marriage.

Mode of commanding the attendance of apprentices as witnesses before any Court or magistrate.

50. And whereas the said apprenticed labourers will be competent witnesses in all prosecutions, suits and legal proceedings, civil and criminal, in all courts of law and equity, in the same manner, and subject to the same laws and rules of evidence as other persons are or may be; and much confusion and inconvenience might arise were process directly addressed to such apprentices to command and compel their attendance as witnesses; Be it further enacted, that the process to procure the attendance of any apprenticed labourer as a witness, shall be in the nature of writ *habeas corpus ad testificandum*, addressed to the employer or employers of such apprentice, and commanding such employer or employers to produce such apprentice at the proper time and place for that purpose; and all courts civil and criminal, justice of the peace, coroners and others lawfully entitled to require the attendance of such witnesses, shall have full power and authority to issue such writs; and any disobedience to the same shall and may be inquired into in a summary way or otherwise, and punished as a contempt of the authority issuing the same, or as a misdemeanor; and any party aggrieved or injured by reason of such disobedience, shall besides have his, her or their remedy by action in the usual course of law, for all damage incurred by him, her or them in the premises: provided, however, that no such process in the nature of a *habeas corpus ad testificandum* shall issue, unless the party requiring the same shall by affidavit satisfy the court, judge, magistrate or other authority competent to grant the same as aforesaid, that the evidence verily expected from the intended witness, is material in the case to be tried or investigated, and that the presence of such witness is necessary to the purposes of justice: provided always, that no apprenticed labourer, as aforesaid, shall be competent to give evidence to any fact which may have been or may at any time previous to the said first August in the present year be committed, or alleged to be committed, and to which he or she while in a state of slavery would have been an incompetent witness.

The testimony of apprentices not to have a retrospective effect from 1st August 1834.

Apprentices not to be Jurors, serve in the Militia, &c., or hold any office, except that of Constables.

51. And be it further enacted, that no apprenticed labourer as aforesaid shall, during the continuance of his apprenticeship, be qualified or liable to serve as a juror in any court of justice whatsoever, civil or criminal, or on any coroner's inquest, or on any arbitration, appraisement or the like, or in the militia of these Islands, or be capable of holding any elective or other office or situation in His Majesty's service or otherwise, in or under this government (the situation of constable as hereinbefore provided for excepted), or of voting at any election for members of Assembly, vestrymen or the like, the qualification of such apprenticed labourers in other respects, or any thing in this Act before contained to the contrary notwithstanding.

Unlawful for an apprentice to leave the plantation, &c. to which he belongs without leave.

Certain articles apprentices may not cultivate without leave.

52. And be it further enacted, that it shall not be lawful for any apprenticed labourer as aforesaid, at any time by day or night, on working days or holidays, to depart from within the prescribed limits of any plantation, settlement or establishment at which he or she shall be employed, without the leave of his or her employer or employers, or after obtaining such leave, to remain absent therefrom longer than by the said leave shall be allowed; nor shall any such apprentice without like leave expressly given, presume to cultivate, raise or make for his or her own use any article of colonial produce whatsoever, Indian and Guinea corn or cattle or other live stock, hogs not exceeding two in number, and kept in a pen excepted, or salt or the like, that shall be cultivated raised or made at any plantation, settlement or establishment at which such apprentices shall be employed, for the use or benefit of those employing such apprentice; nor shall any such apprenticed labourer as aforesaid, without like leave as aforesaid, traffic or deal by way of purchase, sale, barter or the like, in wines, spirituous or malt liquors or the like, plain or mixed, or in any produce, goods or other articles in which the employer or employers of such apprentice shall deal or traffic at any plantation, settlement or establishment where such apprentice shall be employed: provided, however, that the prohibitions aforesaid shall

Exceptions.

shall not extend to the raising for sale or consumption of poultry, sugar-canes, beans, pease, pumpkins, plaintains, fruit, (oranges and pine-apples excepted), potatoes, yams or other ground provisions or esculent vegetables of any kind, and all prohibited articles as aforesaid which shall be so cultivated, raised, made or trafficked in by any apprenticed labourer as aforesaid, without the necessary leave or permission as aforesaid, shall in and by virtue of this Act and the operation of the same alone, become forfeited to the employer or employers of the said apprentice, and be the sole property of such employer or employers, their executors, administrators and assigns for ever: provided always, that the restrictions aforesaid, as far as the same extend to prevent apprenticed labourers from raising Indian and Guinea corn, shall be of no effect in cases where any such apprenticed labourers may, by special agreement as aforesaid, engage to support themselves by the cultivation of land.

Person administering the government, to be deemed the Governor of the Colony,

53. And be it further enacted, that within the meaning and for all and singular the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of these Islands, shall be taken to be the Governor thereof.

Who liable for neglects, omissions or misdemeanors under this Act.

54. And be it further enacted, that within the meaning and for all and singular the purposes of this Act, and of the statute to which this Act is auxiliary as aforesaid, the person or persons having the immediate management, care or charge of any apprenticed labourer as aforesaid, or employing such apprentice in any manner of labour, work or service whatsoever, whether for the use or profit of such manager or managers, employer or employers, or of any other person or persons whatsoever, shall be taken and considered as the person or persons liable to all the pains, penalties and forfeitures to be incurred by reason of any contravention of this Act in relation to the actual treatment of the said apprentices.

Fees of such Special Justices who may not receive salaries under the Act of Parliament to which this Act is auxiliary.

55. And be it further enacted, that every justice of the peace specially commissioned as aforesaid, not receiving a salary under the Act of Parliament to which this Act is auxiliary, shall be entitled to the following fees: on every examination in writing under oath, 2*s.*; on every warrant or summons in writing, 2*s.*; to each of the two justices on every permission to remove apprentices from one place to another, and making the necessary inquiries previous to granting the same, (payable by the party applying), 4*s.*; on each judgment (payable by the party against whom the same is given), 8*s.*; on the registry of each apprenticed mariner, 2*s.*; and all other magistrates and ministers of religion solemnizing marriages, shall for each, be entitled to 2*s.*; and when two or more justices are associated in the same duties, they shall divide the fees equally between or among them; and the provost marshal or his deputy, constable or other person specially appointed to serve or execute any process or perform any other like duty of him required by this Act, shall be entitled to the following fees: for every attendance on a magistrate at the investigation or trial of any matter or prosecution at which such attendance may be required, 2*s.*; for summoning any person verbally or in writing 2*s.*; for each arrest of the person otherwise than in the magistrate's presence, 4*s.*; for committing each prisoner, 2*s.*; for every mile that may be actually travelled on any duty, and for that purpose alone, 6*d.*; and the like, returning, when necessary; on all levies, settled without sale of the property levied on, two and a half per cent.; on all sales, two and a half per cent. on the gross proceeds.

Provost Marshal and Constable's fees on serving or executing process under this Act.

When property is levied on and cannot be sold to advantage on the spot, the officer levying at the request and cost of the owner of the property to transmit the same either to the Provost Marshal at Nassau or Turks Islands for sale, and prisoners sentenced to confinement on an Island where there is no proper prison, to be sent to Nassau, or to such nearer place where there may be a fit prison.

56. And when any property shall be levied on in any district in which it cannot be sold to advantage, the officer levying shall, at the request and at the sole proper cost, charge and risk of the party on whose property the levy shall have been made, transmit the same for sale to the provost marshal in Nassau, or the marshal at Turks Islands; and when any party is sentenced to imprisonment, and there shall not be any good or sufficient prison or other proper place of confinement in the district in which such sentence shall have been pronounced, the officer charged with the commitment of such prisoner shall cause such prisoner to be taken in custody to Nassau, or other nearer settlement at which there may be a proper place of confinement, and committed there: Provided always, that the appointed term of any such prisoner's imprisonment shall be computed from the time of his actual arrest or detention preparatory to his being sent to another district.

Gaoler's and Supervisor's fees.

57. And be it further enacted, that the gaoler or supervisor, or keeper of any prison, workhouse, house of correction or other like place of confinement, shall be entitled to the following fees for services under this Act; on receiving each prisoner, 1*s.* 6*d.*; on the discharge of the same, 1*s.* 6*d.*; on each whipping, 3*s.*; on each confinement in the stocks, 1*s.*; on each solitary confinement, 2*s.*; and 6*d.* additional for every twenty-four hours beyond the first twenty-four; for the maintenance of each prisoner by the day, 6*d.*; but all apprenticed labourers as aforesaid, committed to prison whether for hard labour or otherwise, shall be compelled as far as may be conveniently practicable to perform so much work as may be sufficient to pay for their maintenance; and all such fees and charges, when incurred on account of any apprenticed labourer as aforesaid, shall be paid by the person or persons entitled to the services of every such apprentice respectively; and all those on account of any other prisoner under this Act by the said prisoners themselves; and no such prisoner as last aforesaid shall be discharged from prison until the payment of all such fees and charges, except by order of some magistrate specially commissioned as aforesaid, who shall be satisfied of the inability of the prisoner to pay the same.

Fees, by whom paid.

Secretary's fees.

58. And be it further enacted, that for recording the several documents directed by this Act to be recorded in the office of the secretary of the Colony, and all other duties in connexion therewith, the secretary shall be entitled to the same or such like fees and allowances as are taken and held to be lawful, as to all other documents or instruments in like manner recorded in his said office; and all such fees, charges and allowances shall be payable by him, her or them for whose benefit the services shall be so rendered.

Fees not collected or received from the parties to be paid out of the public Treasury.

59. And be it further enacted, that in all cases in which no particular provision is made in or by this Act for the payment of any fees or charges as aforesaid, and also in all cases in which such provision is hereinbefore made, but from the inability of those appointed to make such payments, or other sufficient causes, the said fees or charges shall not be collected or received, all lawful fees and charges as aforesaid not actually so received, shall be paid quarterly to those entitled to the same out of any monies in the treasury of these Islands not otherwise specially appropriated by warrant of the Governor in the usual form.

No suit to be instituted against any Special Justice for anything done under this Act until 40 days' previous notice shall have been given and personally served on every person intended to be sued.

60. And be it further enacted, that no suit at law shall be instituted in any court in these Islands against any justice of the peace specially commissioned as aforesaid, or against any other person or persons whatsoever for any thing by them or any of them done, in pursuance or in virtue of this Act, or of the statute to which this Act is auxiliary as aforesaid, until forty days' previous notice of the same shall have been given and personally served on each and every person intended to be so sued, and such notice shall be in writing, signed by the party intending to sue, or by his, her or their attorney, and shall contain a full and particular statement of all and singular the facts, matters, causes and things for or by reason of which such suit is about to be instituted; and if after such suit shall be instituted, the party plaintiff shall introduce into his, her or their pleadings in the same any fact, matter, cause or thing not fully and particularly stated and contained in such notice as aforesaid, the said party plaintiff shall suffer a nonsuit at the trial of the cause; and at any time before the actual issuing of process in any such suit, the party defendant shall be entitled to tender amends to the party plaintiff, or to his, her or their attorney, for any cause or alleged cause of action in the premises; and the said party defendant shall also be entitled under a plea of the general issue, to give this Act and the said tender and all other special matter in evidence; and if the jury shall not by their verdict in the cause award to the party plaintiff a greater amount of damages than the sum so tendered as aforesaid, the defendant or defendants shall have judgment, and on judgment for the party defendant, whether on verdict or otherwise, judgment of *non pros.* or of nonsuit, or on discontinuance or abatement of suit the party defendant shall have treble costs.

Children under six years of age registered as slaves on the 1st August next, and children hereafter to be born of any apprentice, how bound out by indenture of apprenticeship until the 21st year of their age.

61. And whereas in pursuance of certain provisions of the statute to which this Act is auxiliary as aforesaid, all persons who on the 1st day of August in this present year 1834, shall have been registered as slaves in this Colony, and who on that day shall not have attained the sixth year of their age respectively; and also all those who after that day shall or may be born of any female apprenticed labourer or labourers as first aforesaid, during the term of the apprenticeship of such female apprenticed labourer or labourers, may be bound by indentures of apprenticeship until the said children shall attain the 21st year of their age respectively, as in and by the said statute is more fully and at large set forth; Be it further enacted, that all such indentures shall and may be executed in the same manner and form as has been hitherto used in such or the like cases in this Colony, and shall and may be transferable in the same manner as any interest of those entitled to the services of apprenticed labourers as first aforesaid may be transferred in pursuance of the provisions of this Act, and shall go to the executors of those to whom such children may have been bound as aforesaid, to such use or uses as may be designated by the last will of the persons respectively holding such indentures; or when there shall be no such will, then to the nearest of kin to the deceased, as any other chattel interest; and all apprentices so bound by indentures as aforesaid, shall, during their said apprenticeship, be entitled to the same treatment, and be dealt with in all respects from and by those to whom they may be so bound, and to the same allowances of provisions, clothing and other necessaries, and under the same penalties as is hereinbefore provided in relation to apprenticed labourers generally as first aforesaid: provided always, that no person entitled to the services of any such mother as an apprenticed labourer, shall be compellable to accept or take any such child or children as apprentices as aforesaid; and when any such child, being under the age of 12 years, shall not be bound by indenture as aforesaid, the father or reputed father of such child shall maintain the said child while under the age of 12 years, in the same manner as is hereinbefore provided with respect to the maintenance of apprenticed labourers; and the father or reputed father neglecting so to do when duly required by any special magistrate as aforesaid, if an apprenticed labourer, shall be punished for such neglect in the same manner and form (imprisonment excepted) as is hereinbefore provided with respect to any other neglect of duty; and if not an apprenticed labourer, then in such manner and form and to the same effect as is hereinbefore provided respecting those entitled to the services of apprenticed labourers neglecting to furnish them with good and sufficient maintenance; and should any such father or reputed father be unknown or dead, or not to be found, or from indigence and infirmity be unable to maintain the child as aforesaid, then the mother shall so maintain the child under the same penalties as aforesaid; and should any such mother refuse to declare under oath when so required by any special magistrate as aforesaid, who the father of the child is, or falsely represent any person as being the father of the same, she,

Persons entitled to the services of the mother not compellable to accept the child as an apprentice.

Children of apprentices under the age of 12 years not apprenticed out to be supported by their father or reputed father.

Penalty on female apprentices not declaring when required by a Special Magistrate who the father of their child is.

Penalty on false representation.

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on conviction thereof, shall be punished in the same manner and form as hereinbefore provided, besides incurring the pains and penalties of wilful and corrupt perjury when any such misrepresentation shall have been made under oath as aforesaid: provided, however, that it shall be lawful for any such special magistrate before whom any claim for maintenance of any such child shall be brought, to agree with the parent or reputed parent of the same for a pecuniary computation, or the value in money of the necessary allowances as aforesaid of such child, to be paid weekly, monthly or otherwise as the said magistrate shall approve, to such person or persons as may be designated in the agreement, for the use of the child; which agreement shall be in the form of a recognizance to be entered into before such magistrate by the parent and one or more sureties, at the discretion of the said magistrate, and the penalties of all such recognizances when forfeited shall and may be enforced for each and every separate default from time to time, and *toties quoties*, in a summary way before any special magistrate or magistrates as aforesaid, in manner and form hereinbefore provided.

Lawful for the Governor in Council to establish forms for summonses, writs, warrants, &c. &c. &c. &c.

62. And to secure uniformity in the performance of the several duties to be required of special magistrates and others in pursuance of this Act; Be it further enacted, that it shall be lawful for the Governor in Council, to establish forms for all such summonses, writs, warrants, minutes of proceeding, records, indentures, agreements, contracts, licenses, certificates, notices and other instruments of writing, or so many of the same as shall from time to time be found or deemed necessary in order to carry into effect the provisions and intentions of this Act; and it shall be the duty of all such magistrates and others to conform thereunto in all proceedings had under or in virtue of this Act.

Modé of classing apprentices into prædials attached, prædials not attached, and non-prædials.

63. And in order to fix and definitively establish to what particular class of apprenticed labourers each shall belong; Be it further enacted, that when the last registration of slaves shall have been completed, the Governor shall appoint two inhabitants as assessors, with the registrar of slaves, to inspect and examine the several returns the said registration contained, and in the margin of the record (for which purpose a margin shall be left in blank throughout the same) to mark opposite to the name of each and every such apprentices the letters P. A., P. U. or N. P., designating by the letters P. A. those who shall appear by such returns to be prædial apprenticed labourers attached to the soil; by the letters P. U. the prædial not attached to the soil; and by the letters N. P. the non-prædial; and the proceedings of the said registrar and assessors in the premises shall at all times, while they shall be so employed, be open to the search and perusal of all persons entitled to the services of any apprenticed labourer as aforesaid, and also of any such apprenticed labourer or other person on his or her behalf; and when any doubt or question shall arise as to which class as aforesaid any apprentice may belong, the matter shall be inquired into by the said registrar and assessors in a summary way, and the decision of the said registrar and assessors, or a majority of them in the premises, shall be conclusive; and when the class of each and every apprentice shall have been so determined and marked as aforesaid, the said registration shall be deposited in the office of the secretary of the Colony as a public record, and no alteration therein shall be thereafter made under any pretext whatsoever; and each of the said assessors shall for their said services, to be certified by the registrar, be entitled to 12*s.* by the day for each and every day they shall actually be so employed as aforesaid, not to exceed 50 days in the whole, to be paid out of any monies in the treasury not otherwise particularly appropriated, in pursuance of warrants from the Governor in usual form.

Apprentices out without leave in New Providence after nine o'clock at night liable to be arrested by the night guard.

64. And be it further enacted, that it shall and may be lawful for the night guard to apprehend all apprentices that shall be found in the streets, lanes and other places of the town and suburbs of Nassau after the ringing of the gaol bell in the evening, incapable of giving any proper or satisfactory account of himself, herself or themselves, and without having any letter or letters, ticket or tickets from his, her or their employers; and to detain and secure such apprentice in the watch-house, guard-house, or other convenient and fit place, in order that he, she or they may be carried the next morning, or as soon as may be, before some magistrate specially commissioned as aforesaid, to be committed by him to the workhouse of the said town as a vagrant or vagrants, a suspected person or persons, or released or otherwise dealt with according to law.

Additional allowances to apprenticed mariners.

65. And be it further enacted, that every apprenticed mariner shall be entitled to have and receive from his employer, in addition to the clothing hereinbefore prescribed, for prædial apprentices, one woollen suit in every two years; to wit, one woollen jacket, one flannel shirt and one woollen trowsers.

Unlawful for apprentice to have in their possession gunpowder, guns, swords, pistols or fire-arms, unless with the knowledge and consent of their master.

66. And be it further enacted, that it shall not be lawful for any apprenticed labourer as aforesaid, to keep, use or have in his or her possession, any gunpowder, guns, swords, pistols or fire-arms of any description whatsoever, or any other offensive weapon, unless with the knowledge and consent of his or her master, manager or overseer; and every apprenticed labourer so offending, shall, on conviction before any justice specially commissioned as aforesaid, be punished with whipping, solitary confinement, hard labour in any house of correction or other place as aforesaid, or any two of those punishments as may be awarded by such special justice; provided, that such whipping shall not exceed 39 lashes, and such solitary confinement shall not exceed ten days.

Masters may seize fire-arms, in the unlawful possession of any apprentice.

67. And be it further enacted, that it shall be lawful for any such master, manager or overseer, or other lawful employer, to seize and retain to his own use any gunpowder, guns, swords or fire-arms of any description whatsoever, or any other offensive weapon unlawfully in the possession of any apprenticed labourer.

Act may be altered during this Session.

His Majesty may disallow any one or more entire Sections of this Act, leaving the remainder in full force.

68. And be it further enacted, that this Act may be altered, varied, amended or explained by any other Act or Acts to be hereafter passed in and during the same present session of the General Assembly, any law, rule, usage or practice of the General Assembly, or of either branch thereof, to the contrary notwithstanding: provided however, and be it further enacted, that it shall and may be lawful for His Majesty, his heirs and successors, to disallow any one or more entire section or sections of this Act, leaving all other sections and parts of the same in full force and virtue, any thing hereinbefore contained, or any rule or usage in such behalf hereto before used and observed to the contrary notwithstanding; and so soon as His Majesty's said disallowance shall be officially made known and public in this Colony, each and every such disallowed section or sections as aforesaid shall thereupon immediately cease to be of any effect, and for ever after remain of no force or virtue.

— No. 69. —

Bahama Islands.

No. 69.

AN ACT for dividing the Colony into Police Districts; for making provision for the Residence of Special Justices therein; for the erection of Gaols and Places of solitary confinement, the appointment of Gaolers and Constables, and for other purposes.— (Passed 20 March 1834.)

Preamble.

WHEREAS it is expedient for the better carrying into full operation an Act made and passed in the present session of the General Assembly of these Islands, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves;'" that the Colony be divided into police districts; that provision be made for the residence and travelling expenses of the magistrates having jurisdiction under the said Act; for the erection of gaols, the appointment of constables and gaolers, and for other purposes in connexion with the said Act: May it therefore please Your Majesty, that it may be enacted, and be it enacted, by his Excellency Blayney Townley Balfour, esquire, Your Majesty's lieutenant-governor and commander-in-chief in and over the said Islands, the Council and Assembly thereof, and it is hereby enacted and ordained, by the authority of the same, That, for the purposes of the above-recited Act, the Colony shall be and is hereby divided into seven police districts, as are more particularly set forth and designated in the Schedule to this Act annexed, marked with the letter (A.)

One or more Justice or Justices of the Peace specially commissioned to reside in each District; not to exceed 20 in the whole.

Duty of Special Justices.

2. And be it further enacted, that in each of the said districts there shall reside one or more justice or justices of the peace, specially commissioned under the authority and by virtue of the Act of Parliament hereinbefore recited, so that the whole number of such special justices shall not exceed twenty; and it shall be the duty of every such special justice of the peace as aforesaid to make periodical visits to the several islands and places within their respective districts, in conformity with any instructions which shall be issued from time to time by the Governor; and in case at any time between the periods for visiting laid down in any such instructions, in consequence of any tumult, insubordination or other emergency, the presence of a special justice shall be requisite at any island or place in any of the aforesaid districts, it shall be also the duty of the justice of such district, without waiting for instructions, forthwith to repair to such island or place, and to exercise all such legal authority for the restoration of peace and good order as circumstances may require.

Special Justices to make monthly reports to the Governor of all complaints, &c.

3. And be it further enacted, by the authority aforesaid, that it shall be the duty of every justice specially commissioned as aforesaid to make monthly reports to the Governor of his proceedings as such, and with the same to forward an abstract of all complaints preferred before him, and his decision or other proceedings thereupon, together with a list of prisoners within the island or district under his charge confined by his authority, and an account of the removals of prædial apprentices attached to the soil consented to by him.

Governor in Council authorized to unite two or more Districts into one, and again separate the same.

4. And whereas, from the want of a sufficient number of special justices being provided for this Colony, or from other causes, it may become expedient to reduce the number of police districts enumerated in Schedule (A.), by uniting two or more such districts or parts thereof into one distinct district, either temporarily or permanently; Be it therefore enacted, that it shall and may be lawful for the Governor, by Order in Council, to be duly published, to unite two or more such districts, or parts of two or more districts, as aforesaid, into one distinct district, and from time to time to revoke any such Order, and other or others, if necessary or expedient, to issue in like manner and form; and the districts defined in any such Order, shall be deemed to be the police districts under this Act, so long as such order shall be and remain in force, any thing in this Act contained to the contrary notwithstanding.

Fifty pounds allowed for house-rent for each Justice and two Constables.

5. And be it further enacted, that for every justice of the peace specially commissioned as aforesaid, there shall be allowed, for house-rent, for himself and two constables, 50 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor in Council, in the usual manner and form.

Each Justice to provide himself with two Constables.

Constables' salary of 50 *l.* per annum to be paid quarterly by warrant on the Treasury.

6. And be it further enacted, that it shall be the duty of every justice of the peace specially commissioned as aforesaid, to hire and provide himself with two able-bodied men as constables, to be under his directions and subject to his lawful orders; and that each and every person so duly appointed and sworn as constable, shall be entitled to have and receive

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out of the public treasury 50 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor and Council, in the usual manner and form, on such constable producing a certificate from the justice appointing him, that he has duly performed his duty within the period stated therein.

Expenses for hiring vessels, and for travelling by water, to be paid out of the Public Treasury; not to exceed in any one year 800 *l.*

7. And whereas it is necessary to provide for the hiring of vessels and boats, to convey special justices from one Island to another within their respective districts, or from one district to another, in cases of necessity, together with other incidental expenses of travelling by water of such justices, and the constables accompanying them in the execution of their duty; Be it further enacted, that it shall and may be lawful for the Governor to pay the reasonable charges incurred for hiring such vessels and boats and other incidental travelling expenses as aforesaid, that may have been sanctioned or may be approved of by him, by warrant from his Excellency in Council, from time to time, on the public treasury of the Colony; provided that the amount so drawn for in any one year shall not exceed 800 *l.*

Mode of providing for the erection of gaols, and places of solitary confinement.

8. And whereas it may be necessary to erect gaols and places of solitary confinement on some one or more of the Islands within the respective districts aforesaid; Be it therefore further enacted, that whenever it shall appear to the Governor that any such necessity as aforesaid does exist on any Island, place or settlement within any of the districts aforesaid, it shall and may be lawful for him, with the advice and consent of the Council, to order and direct the special justice residing in such district to cause any such gaol and place of solitary confinement, or either of them, to be erected according to such plan and estimate as may be approved of by the said Governor, and upon receipt of such order, such justice shall associate himself with some other justice of the peace; and it shall thereupon be lawful for such justices to make, regulate and levy, by warrant under their hands and seals, after due notice given, a rate, assessment or tax on the inhabitants of such Island, place or settlement, equal to the amount of the estimate so made and approved of, to be applied to the making, raising or erecting such gaol and place of confinement, or either, as may have been deemed as aforesaid to be requisite or necessary: and provided further, that it shall also be lawful for the said two justices to compute the amount of labour and materials necessary to the building of such gaol or place of solitary confinement, or either, that shall be taken as an equivalent for any part, or the entire amount of the rate, assessment or tax which any one person may be rated at or become liable to pay under this Act as last aforesaid: provided, however, that when any person residing, or having apprentices within any one of the said districts, shall be possessed of, and shall offer in writing, previous to any such rate being fixed, an approved building for a gaol or place of solitary confinement, such person shall thereupon be exempt from liability to contribute to any such rate, assessment or tax: provided further, that from and after the acceptance by a special justice of any such offered building as a gaol or place of solitary confinement, the same shall thenceforth, to all intents and purposes, be deemed and taken to be a public gaol, and used and dealt with accordingly for and during the continuance of this Act.

Governor may appoint a gaoler for each public gaol, with a salary at and after the rate of 30 *l.* per annum.

9. And be it further enacted, that it shall and may be lawful for the Governor to appoint a gaoler for each public gaol, who shall receive a salary out of the public treasury of 30 *l.* per annum, payable quarterly, by warrant on the public treasury by the Governor in Council, in the usual manner and form, on such gaoler producing a certificate that he has duly performed his duty for the period stated therein.

Special Justices to make rules and regulations for gaols, places of solitary confinement, and the stocks.

10. And be it further enacted, that it shall be the duty of every special justice to make rules and regulations for the gaols, places of solitary confinement and stocks: provided that the above be not repugnant to the above-recited Act of Assembly and Act of Parliament, or either; and that the gaoler shall be furnished with a copy of such rules, and shall also placard a copy of the same on some fitting situation in or near the gaol under his charge.

Forms, when fixed on, to be printed for the use of the Special Justices, at the public expense.

11. And whereas, in and by the 62d section of the above-recited Act of Assembly, in order to secure uniformity in the performance of the several duties required of special magistrates, it is enacted, that it shall be lawful for the Governor in Council to establish forms for certain summonses and other instruments therein more particularly enumerated; Be it enacted, that all such forms when established, or so many of them as shall be required to be used by special justices, shall be printed from time to time at the public expense under the authority of the Governor, and lodged in the public secretary's office for distribution, and that payment for the same shall be made by warrant on the treasury in the usual manner and form.

Penalty on persons contravening or neglecting to perform the duties required of them by this Act.

12. And be it further enacted, that every person contravening any of the provisions of this Act, or neglecting to perform any of the duties hereby imposed on him, shall be guilty of a misdemeanor, and be liable to be tried in the general court therefor, and, on conviction, to be fined and imprisoned, or either, at the discretion of the court: provided that the fine in any one case shall not exceed 10 *l.*, nor the imprisonment thirty days.

This Act a public Act.

13. And be it enacted, that this Act shall be deemed and taken to be a public Act, and shall be judicially taken notice of as such by all courts, judges, justices of the peace and others within this Colony, without being specially pleaded.

Act may be explained, &c. in present Session.

14. And be it further enacted, that this Act may be repealed, suspended, explained, amended or altered at any time during the present session, any law, rule, usage of Parliament or the Assembly, or either branch thereof, to the contrary notwithstanding.

The word "Governor" defined.

15 And be it further enacted, that within the meaning, and for all and singular the purposes of this Act, every person who for the time being shall be in the lawful administration of the government of these Islands, shall be taken to be the Governor thereof.

Act in force until 1st August 1840, and from thence to the end of the then next Session of the General Assembly.

16. And be it further enacted, that this Act shall continue and be in force from and after the passing thereof until the 1st day of August 1840, and from thence to the end of the then next session of the General Assembly of these Islands, and no longer.

Schedule (A.)

1.	Turk's Islands, Caicos, Heneagua and Mayagnana - -	one district.
2.	Crooked Island and Acklin's Island, and Keys - - -	one district.
3.	Rum Key, Watling's Island, and St. Salvador - - -	one district.
4.	Eleuthera, and Harbour Island, and Keys - - - -	one district.
5.	Exuma, and Keys, and Long Island, Ragged Island, and Keys	one district.
6.	Abaco, and Grand Bahama, and Keys - - - - -	one district.
7.	New Providence, Andros Island, Berry Island, and Keys -	one district.
	Total - - - - -	Seven Districts.

No. 70.

— No. 70. —

Bahama Islands.

AN ACT to provide for the payment of Salaries to certain Special Magistrates therein designated, and to repeal certain Clauses or Sections of an Act of the General Assembly made and passed in the fourth year of His Majesty's reign, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,' and to explain certain other Clauses of the said Act."—(Passed 23d August 1834.)

Preamble.

WHEREAS in and by an Act of the Imperial Parliament of Great Britain and Ireland, made and passed in the third and fourth years of Your Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it is amongst other things enacted, that it shall and may be lawful for Your Majesty to issue, or to authorize the Governor of any Colony mentioned or referred to in the said Act, in the name and on the behalf of Your Majesty, to issue under the public seal of any such Colony, one or more special commission or commissions to any one or more person or persons constituting him or them a justice or justices of the peace for the whole of any such Colony, or for any parish, precinct, quarter, or other district within the same, for the special purpose of giving effect to the said Act, and to any laws which may in any manner thereinafter mentioned be made, for giving more complete effect to the same; and by the said Act Your Majesty is authorized to grant to any person or persons not exceeding one hundred in the whole, holding any such special commission or commissions as aforesaid, and so from time to time as vacancies may occur, salaries at and after a rate not exceeding in any case the sum of three hundred pounds sterling per annum: And whereas, out of the one hundred persons so specially commissioned and entitled to salaries as aforesaid, three only have been assigned to act within this Colony, a number totally insufficient to carry into full effect and execution the said recited Act, and the Act of the General Assembly of these Islands auxiliary thereto; and it has therefore been necessary to issue to a further number of persons resident in the Colony, special commissions for the purpose aforesaid, to whom it is but reasonable and just that salaries commensurate to the means and resources of the Colony should be allowed; We Your Majesty's dutiful and loyal subjects, the House of Assembly of the Bahama Islands, do therefore beseech Your Majesty that it may be enacted, and be it enacted by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor and commander-in-chief in and over these Islands, the Council and Assembly in and for the same, and it is

Governor authorized to grant salaries to certain Special Magistrates.

hereby enacted, by the authority of the same, That it shall and may be lawful for the Governor, Lieutenant-Governor, or other officer administering the government for the time being, and he is hereby authorized to grant to any persons, not exceeding seventeen in the whole, holding any such special commission or commissions as aforesaid, (and not receiving a salary under the aforesaid Act of Parliament), and so from time to time as vacancies may occur, salaries according to the scale laid down in the Schedule to this Act annexed, which salaries shall be payable so long only as any such justice of the peace shall be actually resident in the Colony, and engaged in the discharge of the duties of such his office, and shall be paid out of the public treasury of these Islands, by warrant under the hand and seal of the Governor, Lieutenant-Governor or other officer administering the government as aforesaid for the time being: provided always, that there be annually laid before both Houses of Assembly a list of the names of all persons to whom any such salary shall be so granted, specifying the date of every such commission and the amount of the salary assigned to every such justice of the peace.

Lists of persons receiving salaries to be laid before both Houses of Assembly.

Reciting certain clauses of Act of 4 Will. IV. c. 21.

2. And whereas, in and by the 55th, 57th, 58th and 59th clauses or sections of an Act of the General Assembly of these Islands auxiliary to the before-mentioned Act of the Imperial Parliament, it is enacted, that certain fees and charges therein particularly detailed shall be paid to certain officers therein mentioned; and that in cases in which no particular provision

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is made in or by that Act for the payment of such fees or charges, or from the inability of those appointed to make such payments, or other sufficient cause, the said fees or charges shall not be collected or received, they shall be paid quarterly to those entitled to receive them out of any money in the treasury of these Islands, not otherwise specially appropriated: And whereas the said fees and charges bear too heavily upon the parties applying for redress to the person specially authorized to carry the said Act of the General Assembly into effect, and by preventing persons from making such application, will be the certain means of depriving the people of these Islands of the benefits which would otherwise be derived from its numerous wholesome provisions, or from the numerous cases of inability of such persons to pay the same which will occur, the payment of such fees and charges out of the public treasury will prove an annual charge which the colonial finances will not support; Be it enacted, by the authority aforesaid, that each and every of the aforesaid clauses or sections of the said Act of Assembly, and every matter and thing therein contained, shall be and is hereby for ever repealed and rendered of no effect for any purpose whatever; any thing in the said clauses or any other part or parts of the aforesaid Act of Assembly to the contrary notwithstanding.

Certain clauses of said Act repealed.

3. And whereas in and by another section or clause of the aforesaid Act of Assembly, numbered in the printed copies, Six, it is enacted, that all apprenticed labourers in the said Act particularly described, shall be duly amenable to all the laws of the Colony as others are or may be, and liable to be tried and punished for all contravention or violation of the same, or neglect of duties, or the like, required by the same, in the same manner and form, and to the same effect as other free persons, except only as is in the said Act afterwards otherwise provided or has been provided by the statute to which that Act is auxiliary: And whereas it is also afterwards, in the 25th section of the said Act of Assembly enacted, that each and every offence not enumerated and set forth in and by that Act, as well as each and every offence in contravention of that Act, or any one or more of the provisions of the same, that shall be committed by the employer or employers or any apprenticed labourer as aforesaid, or any other person or persons whatsoever against the person, property or just rights of any such apprenticed labourer, or by any such labourer against the person, property or just rights of his or her employer or employers, or any other person or persons whatsoever, shall and may be lawfully tried in a summary way by or before any one or more justice or justices of the peace holding a special commission, and on the part of all apprenticed labourers as aforesaid, all breaches of the peace, all disturbance of order or good discipline among them, all indolence in or neglect or improper performance of work; all violation, invasion or disregard of contracts or agreements with their employers; all acts of insubordination, all insolence of language or manner to their employers or others, all disobedience of lawful orders, all injuries to the person, property, just rights, or character of their employers or others, all attempts to injure the same, and all conspiracies or confederacies of two or more to commit any unlawful act whatsoever, shall be held and taken as offences against this Act, and the offender shall be punished accordingly: And whereas the said last recited clause appears in a great measure to contradict and amend the provisions of that herein previously recited, and it is necessary that the said last recited clause or section should be explained, and the jurisdiction of the special magistrates aforesaid be more accurately defined; Be it enacted, by the authority aforesaid, that the powers and authority vested by the said last above recited, or any other clause or clauses of the Act of Assembly aforesaid, in the magistrates appointed for the special purpose of carrying into effect the said Act and the statute to which it is auxiliary, was only intended and shall be considered to extend only to offences committed or alleged to have been committed by any apprenticed labourer as aforesaid, or by his or her employer in such their relation to each other, or of the breach, violation or neglect of any of the obligations owed by them to each other, or of any question, matter or thing incident to or arising out of the relations subsisting between such apprenticed labourers and the persons respectively entitled to their services, and no other, unless any such special magistrate shall have been or may at any time be also included in the general commission of the peace for these Islands; and every apprenticed labourer as aforesaid is hereby declared to be amenable to all the laws of the Colony as others now are or may hereafter be, and with the above exceptions alone liable to be tried and punished for all contravention or violation of the same in the same manner and form and to the same effect as other free persons, anything in the said 25th section or any other part of the said Act of Assembly to the contrary notwithstanding: Provided however, that the body of any such apprentice, at any time during his or her apprenticeship, shall not be subject or liable to arrest under mesne process in any civil suit or any manner of imprisonment under judicial process, on account of any debt or damages for which judgment shall have been or may hereafter be obtained against any such apprentice as aforesaid, under any circumstances or pretext whatsoever.

Reciting certain other clauses of said Act.

Powers of Special Magistrates only to extend to offences committed by master or apprentice in their relative situations.

Proviso.

SCHEDULE.

First Class.—New Providence; at 200*l.* per annum each special justice.

Second Class.—Turk's Islands, Crooked Island, Eleuthera, Exuma, Long Island, St. Salvador; at 150*l.* per annum each special justice.

Third Class.—Rum Key, Whatling's Island, Harbour Island, Grand Bahama, Abaco, Ragged Island; at 100*l.* per annum each special justice.

BAHAMAS.

Appendix (B.)

Colonial Laws. No. 71.

—No. 71.—

Bahama Islands. (5 WILL. IV. c. 8.)

AN ACT to amend an Act of the General Assembly of these Islands, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves.'"—(Passed October 6, 1834.)

Preamble.

WHEREAS it is expedient that an Act of the General Assembly of these Islands, made and passed in the fourth year of Your Majesty's reign, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves,'" should be amended; that more adequate and satisfactory provision should be made by law for giving effect in this Colony to the Act of Parliament to which the said Act of Assembly is auxiliary: And

Reciting 48th section of Act 4 Will. IV., c. 21.

whereas the 48th section or clause of the said Act authorizes the appointment by the special magistrate on every plantation, with the consent of the proprietor or manager thereof, of one or more of the apprenticed labourers thereon, to be constables for the maintenance of peace and order on such plantation; and it is necessary that the responsibility and authority of such constables should be more clearly defined; May it therefore please Your Majesty, that it may be enacted, and be it enacted by his Excellency Blayney Townley Balfour, esquire, lieutenant-governor in and over the said Islands, and the Council and Assembly of the same, That all constables appointed as aforesaid, shall be responsible for the due exercise of their authority as such, to the special justices of the district in which the plantation shall be situated, for which such constables shall be appointed, and to no other person or persons whatsoever; and that the power of any such constable or constables to confine apprentices for safe custody, shall, as far as regards the apprentices belonging to the plantation, be limited to cases in which others of His Majesty's subjects, not being apprentices, may lawfully be taken into custody by the ordinary constables; and to cases in which any apprenticed labourer having offended against this Act, or the Act to which it is an amendment, there should be reasonable cause to think that the offender will attempt to escape: provided always, and be it further enacted, that whatever complaint shall be made to the special justice aforesaid by any person, of the refusal of any such constable to perform his duty as such, or the wilful neglect of such duty, or of the improper exercise of his authority, such constable shall, upon conviction, after a summary hearing of the case, be liable to imprisonment with or without hard labour, for any term not exceeding 14 days, or to dismissal from such his office, or both, at the discretion of the justice aforesaid.

Constables responsible to Justices for the due exercise of their authority.

Power of Constables as far as regards confining apprentices.

Punishment of Constable refusing or neglecting to perform his duty.

All places of temporary confinement to be inspected and licensed by one or more Special Magistrates.

2. And be it further enacted, that all buildings used as places of temporary confinement on any plantation as aforesaid, shall be inspected and licensed for that purpose, by one or more special justice or justices; and it shall not be lawful to confine an apprenticed labourer in any other than a licensed place.

Stocks to be used in carrying into execution the punishment of apprentices, to be made according to a model sanctioned by the Governor for the time being.

3. And whereas by the Act of Assembly aforesaid, to which this Act is an amendment, it is enacted, that apprenticed labourers may be punished for offences by confinement in the stocks; Be it further enacted, that the stocks to be used in carrying into execution any punishment directed to be inflicted upon any apprenticed labourer by a special magistrate, or for purposes of temporary confinement on any plantation, shall be made according to one general model, to be sanctioned by the person administering the government for the time being; and it shall be the duty of the special magistrates to see that none of a different description are used in their respective districts.

Reciting 16th section of Act 4 Will. IV. c. 21.

4. And whereas in and by the 16th section of the Act of Assembly, to which this Act is an amendment, it is enacted, that it shall and may be lawful for all those employing prædial apprenticed labourers, to propose to the whole or to a portion of those by him or her so employed at any one plantation, settlement or establishment, a plan or rule or rules of task-work duly committed to writing, and setting forth the quantity and description of task-work to be performed by each labourer on each and every working day, according to their respective ages, sexes, strength and skill; and if the said labourers of the age of 14 years and upwards, and capable of working, and actually so employed together at any plantation, settlement or establishment as aforesaid, or a majority of them, shall signify their assent to such plan or rule or rules of task-work so proposed as aforesaid, in the presence of one or more competent and literate witness or witnesses, who shall attest the same, the agreement so entered into, but not otherwise, shall be binding on all parties therein concerned, for such length of time as shall be agreed upon and inserted in the said agreement, not in any case to exceed 12 calendar months from the date thereof: And whereas in and by the 19th section of the said Act, it is also enacted, that it shall and may be lawful for all persons employing prædial apprenticed labourers to agree with any one or more of them to hire them or any one or more of them for pay at some stipulated sum, or other remuneration, for any quantity and description of work which such labourer or labourers shall consent to perform on Saturdays by the hour, or by the job, or otherwise, as shall be agreed upon; and when any prædial apprenticed labourer shall be employed in task-work as therein provided for, and there may be some spare portion of any working day in which he or she shall not be compellable to work for his or her employer or employers, it shall and may be lawful for such

Reciting 19th section of said Act.

employer

employer or employers to agree with such labourer for pay at some stipulated sum or other remuneration for any quantity and description of work that such labourer shall consent to perform by the hour, or by the job, or otherwise, as shall be agreed on within the spare time aforesaid of such apprentice, after the performance of his or her task as aforesaid: provided, however, that no such agreement or agreements as last aforesaid, either as relates to voluntary work for hire on Saturdays, or during spare time after the performance of tasks in working days, shall be binding on the parties to the same, or either of them, unless such agreement or agreements shall be reduced to writing, and be attested by at least one competent and literate witness, in whose presence such agreement shall be entered into: And whereas it is expedient that further provisions should be made by law for guarding against improper practices in relation to such agreements as aforesaid; Be it further enacted, that upon each plantation, settlement or establishment at which any prædial apprenticed labourers as aforesaid shall be employed, there shall be provided by the person or persons having charge of the same, a book or books to be there kept, in which the special justice of the district shall enter the originals, or true copies, of all such agreements as aforesaid, between the apprentices and their employer or employers, touching task-work, and voluntary work for hire as aforesaid; and upon complaint made by any apprenticed labourer, who may be a party to any such agreement, in relation to any thing connected with or arising out of such agreement, it shall and may be lawful for any special justice or justices to examine into and ascertain whether the terms of such agreement were distinctly understood by the apprenticed labourers, or (in cases of agreements for task-work) the majority of apprenticed labourers entering into the same, and whether such labourers, or majority of labourers, entered into such agreement freely and voluntarily, and whether the same is reasonable and just; and to make such adjudication in the matter as the justice of the case may require.

Persons having charge of plantations to keep books and enter all agreements.

Duty of Magistrates, on complaint being made, touching any such agreement.

5. And be it further enacted, that neither under the provisions of this Act, the Act to which this is an amendment, or the Act of Parliament to which the said last-mentioned Act is auxiliary, shall any apprenticed labourer be compelled or compellable to labour on Sundays, except in works of necessity, or in domestic services, or in the protection of property, or in tending of cattle; nor shall any apprenticed labourer be liable to be hindered from attending anywhere on Sundays for religious worship, at his or her free will or pleasure, but shall be at full liberty so to do without any let, denial or interruption whatsoever.

Apprentices not compellable to work on Sundays, except in certain cases herein mentioned.

6. And whereas in and by the 49th section or clause of the aforesaid Act of Assembly, it it enacted that the marriages of apprenticed labourers among themselves, or with others, may be solemnized by any minister of the church of England, or of Scotland, or of any known religious sect or persuasion, or by any justice of the peace: And whereas it is expedient that marriages of apprenticed labourers as aforesaid, should be celebrated by such persons only as are authorized to celebrate the marriage ceremony between other persons of free condition: Be it further enacted, that such persons only shall be competent to celebrate the marriage ceremony between apprentices, as are authorized to celebrate the ceremony of marriage between other free persons; any thing in the said section, or in any other part of the said Act of Assembly, to the contrary notwithstanding.

Reciting 49th section of Act 4 Will. IV. c. 21.

Who shall be competent to celebrate marriages between apprentices.

7. And whereas the said apprenticed labourers will be competent witnesses in all prosecutions, suits and legal proceedings, civil and criminal, in allcourts of law and equity, in the same manner and subject to the same laws and rules of evidence as other persons are or may be; and much confusion and inconvenience might arise, were process directly addressed to such apprentices to command or compel their attendance as witnesses; Be it further enacted, that the process to procure the attendance of any apprenticed labourer as a witness, shall be in the nature of a writ of *habeas corpus ad testificandum*, addressed to the employer or employers of such apprenticed labourer, commanding such employer or employers to produce such apprentice at the proper time and place for that purpose; and all courts, civil and criminal, justices of the peace, coroners and others, lawfully entitled to require the attendance of such witnesses, shall have full power and authority to issue such writs, and any disobedience to the same shall and may be inquired into in a summary way or otherwise, and punished as a contempt of the authority issuing the same, or as a misdemeanor; and any party aggrieved or injured by such disobedience shall besides have his, her or their remedy by action, in the usual course of law, for all damages incurred by him, her or them in the premises; and the employer or employers of any apprenticed labourer attending under any such writ of *habeas corpus ad testificandum*, before any court, justice or coroner as aforesaid, shall be entitled to receive from the party at whose instance such writ shall have been issued, the sum of 3 *s.* per diem for each and every day which such apprenticed labourer shall be detained from the service of such employer or employers in going to, attending at, and returning from any trial, examination or other proceeding, had before any such court, justice or coroner as aforesaid, together with any expenses attending the transit of such apprenticed labourer from his or her place of residence to the place of trial or examination; the amount of which daily allowance and passage expenses shall, in the first instance, be payable by the party, at whose instance the apprenticed labourer shall have been summoned as a witness; but shall finally be charged and taxed as costs against the party against whom judgment shall ultimately be given; and when any apprenticed labourer shall be summoned as a witness on the part of the Crown, the said allowance and expenses shall be paid out of the public treasury, by warrant, in the usual manner.

Process to procure the attendance of apprentices as witnesses.

Allowance to employers for the time any apprentices may be detained.

Unlawful for apprentices to absent themselves from any plantation without leave of their employers.

8. And be it further enacted, that it shall not be lawful for any apprenticed labourer, at any time by day or night, to depart from within the prescribed limits of any plantation, settlement or establishment at which he or she shall be employed, without the leave of his or employer or employers, or, after obtaining such leave, to remain absent therefrom longer than by the said leave shall be allowed: provided, however, that such prohibition shall not extend to prevent any such labourer from hiring himself or herself to any person whatever on Saturdays, holidays, and during any other leisure time such apprentice may have, after performing his or her allotted task or labour for his or her employer, or from attending at any place of religious worship on Sundays; and any such apprenticed labourer so found without the limits of any such plantation, settlement or establishment aforesaid, except for the purposes herein specially provided for, shall be liable to be apprehended and detained, and shall on conviction be adjudged a vagabond, and punished accordingly.

Proviso.

Reciting 12th section of Act 4 Will. IV. c. 21.

9. And whereas in and by the 12th section or clause of the Act of Assembly aforesaid, it is enacted, that the appraisers and umpire to be appointed in manner therein directed, for the purpose of ascertaining the value or price of the interest of the party entitled to the services of any apprenticed labourer desirous of purchasing his or her apprenticeship, or any unexpired term thereof, should estimate such value with due regard not only to the general value of such interest, but also to any peculiar circumstances attending the particular case submitted to them, taking into consideration any special damages, loss or inconvenience to which the party entitled as aforesaid may be exposed, by reason of his, her or their being deprived of the services of such apprenticed labourer as aforesaid: And whereas the law in that respect should be amended; Be it further enacted, that the appraisers and umpire (where an umpire is required) appointed as aforesaid to estimate the value of the interest of any party entitled to the services of any apprenticed labourer desirous of purchasing his or her discharge from any unexpired part of his or her apprenticeship, shall estimate such value with regard only to the general value of such interest, and not with regard to any other circumstances attending the particular case submitted to them; any thing in the said hereinbefore mentioned section or clause, or in any other part of the said Act of Assembly, to the contrary notwithstanding.

Mode of proceeding by appraisers to estimate the value of apprentices.

Employers, how enabled to remove apprentices from one plantation to another.

10. And be it further enacted, that in order to enable the employer or employers of any apprenticed labourer attached to the soil to remove such apprentice from any one plantation, settlement or other establishment to another, with the consent of two special justices, according to the provisions of the statute to which the Act, to which this is an amendment, is auxiliary, it shall be necessary that the said justices of the peace do certify their consent thereto in writing, and deliver the said writing to the party desirous of making the proposed removal, and shall record the same in a book to be kept by them for that purpose; and if any person shall remove any such apprentice without such consent, or on applying for such consent as aforesaid to any such removal, shall be guilty of any concealment or misrepresentation from or to the said justices, or either of them, whereby such apprentice shall be actually separated from his or her wife or husband, parent or child, or any person or persons reputed to bear any such relation to him or her, the person so guilty, on being duly convicted, on a summary trial of the case before any one or more special justice or justices, shall pay a fine of not less than 10 *l.* nor more than 20 *l.*

Penalty on persons removing apprentices without consent.

Services of apprentices may be transferred.

11. And be it further enacted, that the right, title and interest of any person and persons in and to the services of any apprenticed labourer, shall and may pass and be transferable by bargain and sale, gift, contract, deed, conveyance, will or descent, in like manner and form as a like interest in any goods and chattels or personal property generally may pass or be transferable, according to the now existing laws of the Colony: provided, however, that no such bargain and sale, gift, contract or other conveyance as aforesaid, shall be valid unless reduced by writing, and such writing be signed by the proper party, attested by one or more competent and literate witness or witnesses, and duly, in the presence of such witness or witnesses, delivered to the party in whose favour such conveyance shall be made, save and excepting in the case of written and nuncupative wills, respecting which the laws already in force shall continue so to be: provided also, that any such bargain and sale, gift, contract, deed, conveyance or will, which if valid would have the effect of separating any such apprenticed labourer from his or her wife or husband, parent or child, or from any person or persons reputed to bear any such relation to him or her, shall not, as far as relates to the transfer of any such husband and wife, parent and child, be valid or effectual in law for any purpose or purposes of transfer whatsoever; and any person or persons executing and delivering any such unlawful bargain and sale, gift, contract, deed or conveyance, shall be held and taken as having offended against this Act, and, on conviction thereof, shall pay a fine of not less than 10 *l.* nor more than 20 *l.*: and provided also, that the interest of any person or persons to the services of any apprenticed labourer, shall not be subject or liable to be transferred at public auction, except under judicial process or otherwise, on account of any debt or damage for which a judgment shall have been or may hereafter be obtained against such person or persons; nor shall the body of any apprenticed labourer, at any time during the term of his or her apprenticeship, be subject or liable to arrest under mesne process in any civil suit, or any manner of imprisonment under judicial process, on account of any debt or damage for which judgment shall have been or may hereafter be obtained against any such apprentice, under any circumstances or pretext whatsoever.

Proviso.

12. And

12. And be it further enacted, that nothing contained in the Act of Assembly to which this Act is an amendment, shall extend or be construed to extend to absolve apprenticed labourers from the duty of serving in any military or civil capacity to which they may be called by the Governor, or other person administering the government for the time being, in cases of invasion, rebellion, or any other great public exigency; nor to incapacitate any apprenticed labourer from holding any office in the service of any corporation or body politic, or in any church or ecclesiastical society, so that the duties of such office do not interfere with the proper performance of the service which such apprenticed labourer owes to his or her employer or employers.

Nothing to extend to absolve apprentices from serving in any military or civil capacity.

13. And whereas it is necessary that several sections and parts of sections of the aforesaid Act of Assembly, and every other part of the said Act hereby altered and amended, should be repealed: Be it further enacted, that from and after the passing hereof, all that part of the 48th section of the said Act which authorizes the chastisement of apprentice boys under the age of fourteen years, and apprentice girls under the age of twelve years, by their employer; also the whole of the 11th, 15th, 49th and 50th sections of the said Act, and also such portions of the 18th and 12th sections, and such other portions of the said Act, which are opposed to or contradictory to any matter or thing in this Act contained, shall be and are hereby declared to be repealed and of no virtue; any thing in the said sections, or any other part of the said Act of Assembly, to the contrary notwithstanding.

Certain parts of the Act of 4 Will. IV. c. 21. repealed.

—No. 72.—

No. 72.

Bahamas.

AN ACT to explain and amend certain parts of the 4 WILL. IV. c. 21, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves,' and for other purposes."—(Passed 11 May 1835.)

WHEREAS the 41st section of the Act, to which this Act is an amendment, recognizes agreements voluntarily entered into, in writing, between employers and apprentices, and attested by some justice of the peace specially commissioned, by which such apprentices are hired to themselves on certain terms: And whereas it is just and proper that such agreements should be duly performed, where practicable, by the parties thereto; May it please Your Majesty that it may be enacted, and be it enacted by his Excellency Lieutenant-Colonel William Macbean George Colebrooke, R. A., lieutenant-governor and commander-in-chief, the Council, and Assembly of the said Islands; and it is hereby enacted and ordained, by the authority of the same, That for the wilful and fraudulent evasion or non-performance of any such or the like contract already entered into by and between any such employer and apprenticed labourer, or hereafter to be entered into, the defaulter shall be liable, on complaint made before any justice specially commissioned as aforesaid, to be tried, and on conviction of such wilful fraud, punished by such justice in the same way and manner as is provided for the non-performance of any other contract or agreement duly made and entered into, under the said Act, except corporal punishment, by whipping; any thing in the said 41st section of the Act to which this Act is an amendment, or any other part of the said Act contained to the contrary notwithstanding.

Preamble.

Punishment for the fraudulent evasion of agreements.

2. And whereas in and by the 63d section of the aforesaid Act, provision is made for the appointment of assessors, to classify the apprentices therein mentioned into prædial and non-prædial: And whereas no provision is made for the hearing any objection that may be urged by and on the behalf of any apprentice, to the class to which he or she may have been assigned by the said assessors: And whereas, it is expedient to authorize the said assessors to hear, receive and determine in a summary way, upon any such objection that may be offered by or on behalf of any such apprentice, as well before as after such classification, and when necessary, to revise any classification that may have taken place *ex parte*: And whereas, for the purposes aforesaid, it may become expedient to extend the time limited by the said section of the above recited Act for making such assessment; Be it therefore enacted, that it shall and may be lawful for the Governor, Lieutenant-Governor, or officer administering the government for the time being, from time to time, as may appear to him necessary for the due completion of the said assessment and classification, to extend the time for the final completion of the same, and to make such rules and regulations for the government of the said assessors, in the due execution of the duty necessary to be done by the above recited Act, and for enabling such assessors to hear, receive and determine upon objections offered by the said apprentices, or any of them, to their classification as aforesaid, and for the production of such apprentices when necessary; provided that no such rules and regulations shall authorize or require the removal for such purpose of any such apprentice, out of the district to which such apprentice may belong.

Governor may extend the time for the classification of apprentices.

BAHAMAS.

Appendix (B.)

Colonial Laws. No. 73.

Bahama Islands.

—No. 73.—

At the Court at St. James's, 31 July 1835:

Present, The King's most Excellent Majesty in Council.

WHEREAS an Act hath been made and passed by the Lieutenant-Governor, Council and Assembly of the Bahama Islands, on the 15th day of February 1834, intituled, "An Act auxiliary to an Act of the Imperial Parliament, intituled, 'An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves.'"

And whereas it is by the said Act of General Assembly (amongst other things) provided and enacted, that it shall and may be lawful for His Majesty, his heirs and successors, to disallow any one or more entire section or sections of the said Act, leaving all other sections or parts of the same in full force and virtue; any thing thereinbefore contained, or any rule or usage in such behalf heretofore used and observed, to the contrary notwithstanding: And that so soon as His Majesty's said disallowance shall be officially made known and public in the said Colony, each and every such disallowed section or sections as aforesaid shall thereupon immediately cease to be of any effect, and for ever after remain of no force or virtue:

And whereas the said Act of General Assembly has been referred to the Committee of the Lords of His Majesty's most honourable Privy Council, appointed for the consideration of all matters relating to Trade and Foreign Plantations; and the said Lords of the Committee have reported as their opinion to His Majesty, that the said Act should be left to its operation, except as to the several sections of the said Act, which are enumerated and set forth in the Schedule hereunto annexed; which sections their Lordships are of opinion should be disallowed; His Majesty was thereupon this day pleased, by and with the advice of his Privy Council, to approve of the said Report; and His Majesty was further pleased, in pursuance of the above recited Act of General Assembly, and in exercise of the power thereby in His Majesty in that behalf vested, and by and with the advice aforesaid, to declare his disallowance of so much and such sections of the said Act of General Assembly, as are recited and set forth at length in the Schedule hereto annexed, and the same are hereby disallowed accordingly.

And the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

Note.—The sections referred to in the foregoing Order as disallowed, are the 11th, 15th, 36th, 48th, 49th, 50th, 51st, 52d, 55th, 57th, and 58th sections of the Act passed by the Legislature of the Bahama Islands, on the 15 February 1834, printed at page 493.

BERMUDA.

No. 74.

BERMUDA.

—No. 74.—

AN ACT for the Abolition of Slavery in these Islands, in consideration of Compensation.

Preamble.

WHEREAS an Act has recently passed the Imperial Parliament, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves:" And whereas by that Act the sum of twenty millions pounds sterling is appropriated for the persons entitled to the services of such Slaves: And whereas in consideration thereof, it is expedient that an Act should pass the Legislature of these Islands to effect the abolition of slavery: We, therefore, Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor and Commander-in-Chief, Council and Assembly, and it is hereby enacted, by the authority of the same, That all and every the persons who, on the 1st day of August 1834, shall be holden in slavery within these Islands, shall upon and from and after the said 1st day of August 1834, become and be, to all intents and purposes, free and discharged of and from all manner of slavery, and shall be absolutely and for ever manumitted; and that the children thereafter to be born to any such persons, and the offspring of such children, shall in like manner be free from their birth; and that from and after the said 1st day of August 1834, slavery shall be and is hereby utterly and for ever abolished, and declared unlawful in these His Majesty's Islands of Bermuda.

Slavery to cease on the 1st of August 1834.

The apprenticeship system to be dispensed with.

And whereas it is considered that it will be for the benefit of all parties, that the apprenticeship system contemplated by the aforesaid statute of the Imperial Parliament should be dispensed with; Be it further enacted, that the said apprenticeship system be and the same is hereby altogether dispensed with as respects these Islands.

Unanimously passed the House of Assembly, this 6th day of February 1834.

By Order of the House,

John Noble Harvey, Speaker.

Concurred to by the Legislative Council, this 8th day of February 1834.

Robert Kennedy, President.

Assented to this 10th day of February 1834.

S. R. Chapman, Governor and Commander-in-Chief.

— No. 75. —

BERMUDA.

Appendix (B.)

Colonial Laws. No. 75.

Bermuda.

AN ACT to repeal the Laws exclusively applicable to free Black and free Coloured Persons, and extend to them the Laws applicable to White Persons, and to fix the Qualification for Jurors, Voters, and the Electors and Candidates for certain Offices and places of Trust.

Preamble.

WHEREAS it is expedient to relieve free blacks and free persons of colour from certain disabilities, liabilities and restrictions to which they are now subject, and extend to them the laws now applicable to white persons, and to fix the qualification for jurors, voters, and the electors and candidates for certain offices and places of trust: We, therefore, Your Majesty's most dutiful and loyal subjects, the General Assembly of these Your Majesty's Bermuda or Somers' Islands, do most humbly beseech Your Majesty that it may be enacted, and be it enacted by Your Majesty's Governor, Council and Assembly, and it is hereby enacted by the authority of the same, That upon and from and after the 1st day of August, in the year of our Lord 1834, the Act passed in the year 1827, and since continued, intituled, "An Act to ameliorate the condition of Slaves and free Persons of colour;" and also the Act passed in the year 1764, intituled, "An Act for the better government of Negroes, Mulattoes and Indians, bond or free, and for the more effectual punishing Conspiracies and Insurrections of them," and every other enactment in any Act of the Legislature of these Islands, imposing upon black or coloured persons, either bond or free, any penalty, duty, disability or liability to which white persons are not subject by law, or taking away from black or coloured persons, either bond or free, any right, privilege or franchise, from which white persons are not excluded, be and the same are hereby repealed.

All enactments operating against black and coloured persons exclusively are repealed.

All rights, privileges and franchises enjoyed by white persons to be extended to black and coloured persons.

And be it further enacted, that all rights, privileges and franchises, which upon and from and after the said 1st day of August shall or may be enjoyed by white persons, shall upon, from and after the said 1st day of August, be equally enjoyed by free black and coloured persons; and that upon, from and after the said 1st day of August, all free black and coloured persons shall be subject and liable to all the pains, penalties, duties, conditions, restrictions, disabilities and liabilities to which white persons shall be subject and liable.

Qualification to vote for a Member of the Genera Assembly

And whereas, by the enactments hereinbefore repealed, free black and coloured persons are altogether excluded from certain offices and places of trust, and from the exercise of certain franchises, which by the operation of this Act they may enjoy, upon, from and after the 1st day of August 1834; and it is expedient that the amount of property qualifying all persons, as well white as black and coloured, for the enjoyment of such offices, places and franchises, should be fixed by law; Therefore be it further enacted, that upon and from and after the said 1st day of August, no person shall be capable of voting in the election of a member to serve in the General Assembly, who shall not possess in his own right, within the parish to be represented, or receive the profits to his own use, of a freehold rated at the last parish assessment, at not less than 100*l.* of current money, instead of 40*l.*, as now required by the Act passed in the year 1789, for regulating the election of members to serve in the General Assembly, and who shall not in all other respects conform to the prescriptions of the said Act.

Qualification for a Member of the General Assembly.

And be it further enacted, that upon, from and after the said 1st day of August, no person, not possessing in his own right within the parish to be represented, or receiving the profits to his own use, of a freehold rated at the last parish assessment, at not less than 400*l.* instead of 200*l.* as now required by the Act aforesaid, and not in all other respects conforming to the prescriptions of the said Act, shall be capable of being elected to serve as a member in the General Assembly.

Qualification to vote for Mayor, Alderman or Common Councilman.

And be it further enacted, that upon, from and after the said 1st day of August, no person shall be capable of voting in the election of a mayor, alderman or common councilman for the town of Hamilton or the town of St. George, who shall not possess in his own right, or receive to his own use, the profits of a freehold within the town to which such vote may refer, rated at the last parish assessment at not less than 100*l.*

Qualification for Mayor, Alderman or Common Councilman.

And be it further enacted, that upon, from and after the said 1st day of August, no person not possessing in his own right, or receiving the profits to his own use, of a freehold within the town to which such election shall refer, rated at the last parish assessment at not less than 400*l.*, shall be capable of being elected as mayor, alderman or common councilman for either of the said towns of Hamilton or St. George.

Qualification to vote for Vestryman, Churchwarden or Constable.

And be it further enacted, that upon and from and after the said 1st day of August, no person shall be capable of voting in the election of any vestryman, churchwarden or constable, in any parish in these Islands, or at any parish meeting for the voting of money or bringing any charge or expense upon the parish, unless such person, at the time of such voting, shall be possessed in his own right, or receive to his own use, the profits of real estate within such parish rated at the last parish assessment at not less than 100*l.*, or if less than 100*l.*, then also possessed in his own right of personal estate within such parish rated as aforesaid, at such amount as, together with such real estate, shall not be less than 100*l.*, or if not possessed or receiving the profits to his own use of any such real estate as aforesaid, then possessed in his

BERMUDA.

Appendix (B.)

own right, of personal estate assessed as aforesaid, at not less than 100*l.*: always provided, that nothing in this Act contained shall be construed to deprive the rector of any parish of any right which he may now lawfully exercise in right of his benefice.

Qualification for Vestryman or Churchwarden.

And be it further enacted, that upon, from and after the said 1st day of August, no person shall be capable of being elected a vestryman or churchwarden in any parish in these Islands, unless such person at the time of such election shall be possessed in his own right, or receive the profits to his own use, of real estate within such parish, rated at the last parish assessment at not less than 200*l.*, or if less than 200*l.*, then also possessed in his own right, of personal estate within such parish rated as aforesaid, at such amount as, together with such real estate, may be not less than 200*l.*, or if not possessed or receiving the profits to his own use, of any such real estate as aforesaid, then possessed in his own right of personal estate assessed as aforesaid, at not less then 200*l.*

Qualification for Jurors.

And whereas by an Act passed by the Legislature of these Islands on the 7th day of March 1738-9, for regulating jurors to serve in the several courts for these Islands, a register is required to be kept in each parish, wherein shall be written the names of all the parishoners of each respective parish qualified to serve as jurors, who are thereby required to be men of reputed integrity and whose estates respectively are worth not less than 40*l.* sterling (or 60*l.* of current money,) from which register the jurors are to be returned to serve in the several courts of these Islands; and it is expedient that the qualification of jurors fixed by the said Act should be raised beyond the amount of property there required; Be it further enacted, that the register to be kept as aforesaid shall from and after the said 1st day of August comprehend the names of all literate persons, being good and lawful men, and being parishioners whose estates shall be worth not less than 100*l.* of current money (instead of 40*l.* sterling as aforesaid); and that no person shall be returnable for or deemed qualified to serve as a juror in any of the courts of judicature in these Islands, other than persons qualified as hereinbefore mentioned, and who shall be in all other respects qualified as required by law.

And be it further enacted, that from and after the said 1st day of August no jury *de meditate linguæ*, shall be allowed by any court of judicature in these Islands, nor shall any challenge or exception be allowed for want of any jury *de meditate linguæ*.

Unanimously passed the House of Assembly, this 6th day of February 1834.

By Order of the House,

John Noble Harvey, Speaker.

Concurred to by the Legislative Council, this 8th day of February 1834.

Robert Kennedy, President.

Assented to this 10th day of February 1834.

S. R. Chapman, Governor and Commander-in-Chief.

No. 76.

—No. 76.—

Bermuda.

At the Court at St. James's, 31st July 1835:

Present, The King's most Excellent Majesty in Council.

Whereas by an Act passed in the third and fourth year of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," after reciting, amongst other things, that it would be desirable that such of the provisions of the said Act as related to the internal concerns of the said respective Colonies, should be enacted in such respective Colonies, as far as might be possible, by the authority of the several local legislatures of such Colonies respectively, it is enacted, that in case the Governor, Council and Assembly of any one or more of His Majesty's Colonies should, by any Act or Acts of General Assembly for that purpose made, substitute for the several enactments thereinbefore contained, or any of them, any enactments accomplishing the several objects in such thereinbefore contained enactments respectively contemplated, as fully and to the like effect, but in a manner and form better adapted to the local circumstances of any such Colonies or Colony; and in case His Majesty should by any Order or Orders to be by him made, by the advice of his Privy Council, confirm and allow any such Act or Acts of Assembly, and should in and by any such Order or Orders in Council, recite and set forth at length the several provisions and enactments of the said Act of Parliament for which such other enactments as aforesaid should have been substituted by any such Act or Acts of General Assembly, then and in such case so much and such parts of the said Act of Parliament as should be so recited and set forth at length in any such Order or Orders of His Majesty in Council, should be suspended and cease to be of any force or effect in any such Colony from and after the arrival and proclamation therein of any such Order or Orders of His Majesty in Council, and should continue to be so suspended so long as any such substituted enactment should continue in force and unrepealed, and no longer.

And whereas the Governor, Council and Assembly of the Colony of Bermuda have, by a certain Act of General Assembly for that purpose made, bearing date the 10th day of February 1834, substituted for such of the several enactments in the said Act of Parliament contained, so far as the same relate to the apprenticeship of the labourers therein mentioned, certain

certain other enactments accomplishing the several objects in the said last-mentioned enactments of the said Act of Parliament respectively contemplated, as fully and to the like effect as the same are accomplished by the said Act of Parliament, but in a manner and form better adapted to the local circumstances of the said Colony of Bermuda: Now, therefore, in pursuance of the said Act of Parliament, and in exercise of the powers thereby in His Majesty in that behalf vested, His Majesty, by the advice of his Privy Council, doth confirm and allow the said Act of General Assembly; and it is further declared by the authority aforesaid, that so much and such parts of the said Act of Parliament as are recited and set forth at length in the schedule hereto annexed, are the provisions and enactments of the said Act of Parliament for which such other enactments have been substituted by the said Act of Assembly; His Majesty doth, therefore, by the advice aforesaid declare, that so much and such parts of the said Act of Parliament as are so recited and set forth at length in the schedule hereto annexed, shall be suspended, and cease to be of any force and effect in the said Colony of Bermuda from and after the arrival and proclamation therein of this present order, and shall continue to be so suspended so long as such substituted enactments shall continue in force and unrepealed, and no longer.

And the Right honourable the Lord Glenelg, one of His Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(signed) *Wm. L. Bathurst.*

Note.—The sections suspended by this order, are the first twenty-two of the Act of Parliament 3d & 4th Will. IV. cap. 73, for the Abolition of Slavery throughout the British Colonies, &c.

CAPE OF GOOD HOPE.

—No. 77.—

B. D'URBAN.

ORDINANCE enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, for giving due effect to the Provisions of an Act of Parliament passed in the third and fourth years of the reign of His Majesty King William the Fourth, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the Services of such Slaves," and dated the 28th day of August 1833.

WHEREAS by a certain Act of Parliament passed in the third and fourth years of His Majesty's reign, intituled, "An Act for the Abolition of Slavery throughout the British Colonies; for promoting the Industry of the manumitted Slaves, and for compensating the Persons hitherto entitled to the services of such Slaves," it is amongst other things recited, that it is necessary that various rules and regulations should be framed and established for the good order, management, maintenance and proper treatment of the apprenticed labourers within the said Colonies; for fixing the jurisdiction and procedure of special justices, and for defining the reciprocal duties and rights of employers and their labourers, and for the punishment of offences; and that such rules and regulations may be made and contained in any ordinance to be enacted by the Governor and local Legislatures of the respective Colonies: provided nevertheless, and it is thereby enacted, that it shall not be lawful for any such Governor, Council and Assembly, or for any such local Legislature, or for His Majesty in Council, by any such Acts of Assembly, Ordinances, or Orders in Council as aforesaid, to make or establish any enactment, regulation, provision, rule or order, which shall be in anywise repugnant or contradictory to the said Act, or any part thereof, but that every such enactment, regulation, provision, rule or order shall be and is thereby declared to be absolutely null and void and of no effect;

Now, therefore, in pursuance of the said Act of Parliament, and for carrying the same into effect within the Colony of the Cape of Good Hope; Be it enacted by the Governor of the Cape of Good Hope, with the advice and consent of the Legislative Council thereof, that the several rules and regulations hereinafter mentioned shall extend to and be in force within the Colony of the Cape of Good Hope and the dependencies thereof, upon, from and after the 1st day of December 1834.

CAP. I.—*On the Judicial and Ministerial Agency to be employed.*

1. The Colony of the Cape of Good Hope shall, for the purposes of this ordinance, be divided into not more than 22 special districts.

2. The Governor shall by proclamation define, and, as occasion may require, alter the limits of such districts.

3. One special justice shall be appointed to each of the districts.

4. In each district, and in the vicinity of as large a body as may be of the apprenticed labouring population thereof, there shall be one or more police settlements.

5. The Governor shall provide for the formation of such police settlements by the erection, hire or appropriating of such public buildings for that purpose as he shall from time to time see fit and necessary.

6. At each police settlement there shall be a house of correction, and, if necessary, and when secure accommodation shall be provided, a penal gang, to be composed of such labourers as shall be condemned to imprisonment with hard labour.

7. Every such police settlement shall be under the charge of the justice of the district, and shall consist of so many police serjeants and police constables as the Governor shall from time to time see fit to authorize; all being able-bodied men between the ages of 20 and 50 years.

8. The police serjeants and police constables shall be appointed by the justice, and may be removed by him for misconduct or inefficiency.

9. In addition to the police force, and when the same shall be insufficient for maintaining peace and good order among the labourers, the justices shall appoint and swear in such persons or such labourers in their respective districts as they shall think fit, to act for the time being as special constables or officers of the peace.

10. It shall be the duty of the serjeant and constables to carry into execution such orders as they shall receive from the justices for the prevention or repressing of crimes, and for enforcing obedience to the law, and for inflicting such punishments as are hereby authorized.

11. The justices shall, within the last fortnight of each quarter, respectively make to the Governor a report of the effective strength and condition of the police force at each settlement, of the state of the buildings there, and of the number, state and conduct of the prisoners confined therein.

12. The Governor shall from time to time, by and with the advice of the Legislative Council, frame and publish all necessary rules for the internal discipline of the said police settlements, and of the said places of safe custody and correction; for the clothing, arming, supporting and remunerating the said serjeants and constables, for securing the due performance of their respective duties; for the employment of the penal gang, and also of the serjeants and constables, when not engaged in police duties; for the support of the prisoners in the said houses of correction and places of safe custody; for a due separation of prisoners of different sexes; for the classification of prisoners; for their religious instruction; for the maintenance of cleanliness, order and sobriety amongst them; and for the prevention and prompt punishment of any neglect or violation of such rules: and all rules so framed and published shall be transmitted for His Majesty's approbation, and shall, until disallowed or altered, remain in full force.

CAP. II.—*On the Procedure to be observed by the Special Magistrates in the Exercise of their Jurisdiction.*

1. Every justice shall reside within the district to which he is appointed, unless when prevented by sickness or other reasonable cause, to be allowed by the Governor.

2. Every justice shall, two days in each week, or oftener if need be, except when absent on visitations, hold at the place of his residence, or at some other convenient place, a session for the hearing and deciding upon such cases as may be brought before him.

3. Every justice shall, once in six months, or oftener if need be, repair to each farm within his district upon which twenty or any greater number of labourers shall be employed, there to take cognizance of such cases as may be brought before him.

4. Every justice shall keep a journal of all the cases brought before him, in which he shall enter, 1st, the date of the complaint; 2d, the name of the complainant; 3d, the substance of the complaint; 4th, the names of the witnesses adduced on either side; 5th, the substance of the evidence; 6th, his decision on the case; 7th, whether the decision has been carried into effect; 8th, general remarks.

5. All such journals shall be kept in one uniform manner, to be prescribed for that purpose by the Governor.

6. At the end of six months, the justice shall transmit to the Governor a duplicate of his journal for the preceding six months, with an affidavit thereto annexed, to the effect that it has been faithfully kept, and that, with the exception of unintentional errors, it contains a true account of all the proceedings in which the deponent has been engaged as such justice, during the six months to which it refers, for the purpose of being laid before the Legislative Council.

7. On receiving any complaint, it shall be the duty of the justice to reduce it to writing, and to cause it to be read by, or to read it over to, the complainant, by whom it shall then be subscribed.

8. If the complaint shall appear to the justice immaterial, and not to deserve further inquiry, he may at once dismiss it; but if he shall think inquiry necessary, he shall call upon the complainant to make oath that the complaint is true.

9. Upon taking any complaint, cognizance of which is given to the justice, under and by virtue of the said Act of Parliament, and to the truth of which such oath shall have been so made, the justice shall either issue his warrant for the arrest of the party charged, or shall issue, if necessary, a summons for his attendance, as the case may require. The warrant of arrest shall be in the form annexed, marked (A.), and the summons in the form annexed, marked (B.)

10. The warrant of arrest shall be issued in all cases where the party is charged with a capital or transportable offence; in all cases where there is reason to apprehend that the party charged would endeavour to escape; and in all cases where there is reason to apprehend danger to the public peace from delay. In all other cases the justice is to proceed in the first instance by summons, if necessary.

11. In

11. In cases in which it may be necessary to adduce witnesses in support of, or in answer to any such complaint, the justice shall issue a summons, if necessary, to every such witness, in the annexed form, marked (C.)

12. At the time and place appointed by any such warrant or summons for proceeding upon any such complaint, the justice shall in the presence of all parties, or of such of them as, being summoned, shall attend in pursuance of such summons, first read over the written complaint, and then take down in writing the answer of the party charged, and then proceed to examine on oath the party complaining, and the witnesses, taking down in writing the deposition of each witness, which shall be read over to and signed by him.

13. The justice may from time to time adjourn any such proceeding for further inquiry, and if necessary commit the party charged to custody pending such adjournment, or take bail for his appearance. Every such bail or commitment shall be in the annexed forms, marked (D.) and (E.)

14. At the close of such proceedings the justice shall pronounce his decision thereupon, which decision he shall reduce into writing, and subscribe with his name.

15. By such decision the justice shall, as law and reason may seem to him to require, either dismiss the complaint, or sanction any lawful compromise between the parties which he may think just, or convict the party charged, unless accused of a capital or transportable offence, in which case he shall take preparatory examination, and proceed according to law in his capacity as justice of the peace, or commit him to prison to take his trial for the imputed offence.

16. If the complaint shall be dismissed, the justice shall in such his written decision state whether it was so dismissed as unproved, or as being frivolous and vexatious, or as being malicious.

17. If any such complaint shall be so dismissed as frivolous and vexatious, the justice may adjudge the complainant, if a labourer, to any number of stripes not exceeding fifteen; or if the complainant be the employer, the justice may adjudge such employer to the payment of a penalty for the use of the colonial treasury, or the labourer, at his discretion, of not less than 10 *s.* and not greater than 40 *s.*

18. If any such complaint shall be so dismissed as malicious, it shall be competent to the justice, at the instance of the party charged, to adjudge the complainant, if a labourer, to imprisonment with hard labour, for any time not exceeding one month, or to any number of stripes not exceeding thirty; or, if the employer of any such labourer, to a fine not less than 20 *s.* and not greater than 5 *l.*, to be applied in manner aforesaid; which judgment shall be a bar to any suit, action or prosecution against such complainant for calumny, defamation or otherwise in respect of such his complaint.

19. If the justice shall by such his decision convict the party charged, or shall convict the complainant of preferring a frivolous and vexatious, or a malicious complaint, such conviction shall be drawn up according to the form annexed, marked (F.)

20. If the justice shall commit the party charged to take his trial for the imputed offence, such commitment shall be drawn up in the form annexed, marked (G.)

21. Upon any such conviction as aforesaid by the justice, he shall forthwith issue a warrant for the execution thereof, in the form annexed, marked (H.)

22. All summonses, warrants, commitments and other orders, so to be issued by the justice, shall be executed by the police officers of his district, the justice being nevertheless authorized as occasion may require, to address the same to any other person or persons jointly with, or instead of such officers of police, as to him may seem requisite, and who shall consent to execute the same.

23. Any summons, warrant or order, issued by any justice within his own district, may, without any further authority, be carried into execution in any part of the Colony, though beyond such district.

24. If any person, summoned by the justice as a witness, shall not appear in obedience to such summons, or appearing, shall refuse to be sworn or examined, or to answer any question proposed to him by the justice in relation to the matters depending before him, it shall be lawful for the justice to issue his warrant for the arrest of any such defaulter, or to commit him to close custody, there to remain until he shall submit to be so sworn and examined, and to make such answers as aforesaid. Every such warrant of arrest or commitment shall be in the forms annexed, marked (I.) and (K.)

25. If it shall be made to appear to the satisfaction of the Governor and the Legislative Council that the forms of proceeding hereinbefore prescribed are needlessly burdensome upon the justices, or that they impede or interfere with the prompt and effective execution of the law, the Governor, with the advice and consent of the Legislative Council, shall be entitled to suspend any part of the preceding rules relating to such procedure, or to adapt the same to the circumstances of the case, so as more effectually to promote the punctual, orderly and effective execution of the law; and for that purpose to frame and publish rules and ordinances which shall be transmitted for His Majesty's confirmation, and which, until disallowed, shall be in full force.

26. If any suit or action shall be commenced against any justice, in respect of any act, matter or thing by him done by virtue and in pursuance of this ordinance, if the court shall give judgment for the defendant, the plaintiff shall, by such judgment, be condemned to pay treble costs of suit.

27. If in any such suit or action the justice shall, at any time before final judgment, tender to the plaintiff sufficient amends for the wrong or injury in respect of which the same may be

brought, and submit to pay the costs of suit up to that time incurred; and if the plaintiff shall refuse to accept such amends and costs of suit, then upon proof made to the court at the trial of such suit, that such amends have been so tendered and were sufficient, judgment shall be given for the plaintiff in the amount of the sum so tendered, subject nevertheless to the reduction therefrom of the costs of suit of the defendant.

28. No suit or action shall be brought against any justice in respect of any matter or thing by him done under or in pursuance of this ordinance, unless the same shall be commenced within six months after the cause of action accrued.

Cap. III.—*On the Classification of Apprenticed Labourers.*

1. In the Colony of the Cape of Good Hope all apprenticed labourers shall be classed as non-prædial labourers.

Cap. IV.—*On the Maintenance of the Apprenticed Labourers.*

1. Every employer shall be and is hereby required to supply his labourers with such food, clothing, lodging, medicine, medical attendance, and such other maintenance and allowances as by the laws which were in force in this Colony on the 30th day of November last past, an owner was required to supply to, and for any slave, being of the same age and sex as such labourer shall be; and the justices are hereby authorized to substitute such articles of clothing for those by law prescribed as the late protectors of slaves were authorized to do.

Cap. V.—*On the Duties to be performed by the Apprenticed Labourers, and the Penalties for their Non-performance.*

1. Every labourer shall be obliged to work and labour in every day in the year, Sundays and holidays hitherto usually allowed to the labouring population excepted, in the service and for the benefit of his employer.

2. No labourer shall be compelled to work during any sickness rendering him unfit for the same, nor when employed in garden or field labour, shall be compelled to work more than nine hours in each twenty-four hours, in the months of May, June and July, with an interval or intervals for meals and rest not less than two hours; nor more than ten hours in the months of March, April, August and September, with two intervals, not less than three hours; nor more than eleven hours in the remaining five months of the year, with two intervals, not less than four hours: provided, that any labourer employed as a waggon-driver or leader, shall perform his duty as heretofore.

3. For every hour in which any labourer shall absent himself from his employer's service, without reasonable cause, he shall be adjudged to receive not exceeding ten stripes, and so in proportion for every portion of time greater or less than an hour, provided that such number of stripes shall not exceed thirty-nine in the whole.

4. Any labourer absenting himself, without reasonable cause, for more than seven and a half hours in any one week, shall be adjudged a deserter.

5. Any labourer residing in the family of his employer who shall absent himself from his residence during the night without leave obtained, shall, if found one mile distant from such residence, be arrested, and on conviction, be adjudged a deserter, and punished accordingly: provided always, that no employer shall withhold permission for such labourer to attend at any place of worship without reasonable cause to the satisfaction of the justice.

6. Any labourer absenting himself without reasonable cause for two days during one we k shall be adjudged a vagabond.

7. Any labourer absenting himself without reasonable cause, for more than six days in any one week, shall be adjudged a runaway.

8. Any labourer who shall, during his apprenticeship, wilfully absent himself from the services of his employer, shall be adjudged and compelled to serve his employer after the expiration of his apprenticeship, for so long a time as he shall have so absented himself from such service, or to make satisfaction to his employer for the loss sustained by such absence: provided, however, that such extra service or compensation shall not be compellable after the expiration of five years next after the termination of the apprenticeship of such labourer.

9. The reasonableness of the cause of absence shall, in each case, be decided by the justice.

10. Apprenticed labourers adjudged deserters, shall be confined to hard labour for any time not exceeding one week; those adjudged vagabonds, to hard labour for any time not exceeding two weeks, and to any number of stripes not exceeding fifteen; those adjudged runaways, to hard labour for any time not exceeding one month, and to any number of stripes not exceeding thirty, and to make such satisfaction to their employers, or to serve after the expiration of their apprenticeship with their employers, during such time as they shall be adjudged by the sentence of any justice.

11. Any labourer convicted of performing his work indolently, carelessly or negligently shall, for the first offence, be adjudged to whipping, not exceeding fifteen stripes; for the second offence, if within two calendar months, to confinement with hard labour for any time not exceeding one week; for the third or any subsequent offence, to confinement with hard labour, for any time not exceeding one fortnight, with whipping, not exceeding twenty stripes.

12. Any

12. Any labourer, who, by the careless use of fire, shall endanger the property of his employer, or any other person, or who shall wantonly injure the property of his employer entrusted to his care, or who shall ill use the cattle or other live stock of his employer, or who shall by gross negligence expose his employer's property to any damage or injury, shall for such offence be adjudged to confinement to hard labour for any time not exceeding one month, or to any number of stripes not exceeding thirty lashes, or to both such punishments: provided that this enactment shall not exempt any such labourer from his liability to such actions or prosecutions, as other persons of free condition may be subject and liable to, in respect of any such acts by him done or omitted, although no such labourer shall be liable to be so sued or prosecuted, both under this ordinance and under such general law as aforesaid.

13. Any labourer who shall contumaciously disobey the lawful commands of his employer, shall be liable to one or both of the punishments last aforesaid.

14. Any three or more labourers who shall agree together to make any resistance to the lawful commands of their employers, shall be deemed guilty of an unlawful conspiracy, and shall be adjudged to confinement to hard labour for any period not exceeding six months, and to any number of stripes not exceeding thirty-nine.

15. Any three or more labourers who shall be engaged in a combined and open resistance to the lawful commands of their employers, shall, on conviction, be adjudged to suffer the punishments last aforesaid, or any one of them.

16. Any labourer who shall be in a state of drunkenness, or who shall be found fighting, or who shall conduct himself in an insolent and insubordinate manner towards his employer, or any person in the immediate superintendence of his labour, shall for every such offence, on conviction, be adjudged to imprisonment with hard labour, for any time not exceeding one week, or to whipping not exceeding fifteen stripes.

17. Provided always, that no female shall be subject to be punished by whipping, for any offence by her committed; but that in all cases aforesaid in which that punishment is authorized, it shall be understood as applying to the case of males only; and that all the offences in respect of which such punishment may be inflicted on any such male offender, shall, when committed by females, be punished by confinement in the stocks. The stocks to be employed for that purpose shall be according to one general model, to be sanctioned by the Governor; and no female shall for any offence by her committed be confined in the stocks after sunset or before sunrise, or for more than eight hours in the whole for any one day, or for more than two days consecutively, or for more than six days in the whole for any one offence.

Cap. VI.—*On the Duties to be performed by the Employers towards their Apprenticed Labourers, and the Penalties for their Non-performance.*

1. If the employer of any labourer shall, by force or fraud, protract the daily services of such labourer beyond the period by law allowed for that purpose, he shall forfeit, for the benefit of such labourer, the sum of one shilling in respect of every hour which such service shall be protracted.

2. It shall be the duty of every employer to intimate to the labourers in his employment the commencement and the close of the legal hours of labour.

3. No labourer shall be bound to undertake any task-work, except with his own free assent to the same, save as hereinafter is excepted.

4. Every contract between the employer and the labourer, for the performance of any specific work as a task, and in lieu of the prescribed daily labour, or for the performance of any labour in extra hours shall by such employer be reduced into writing, and entered in a book to be kept for that purpose on the farm; which book it shall be the duty of the justice to inspect as often as he shall in manner aforesaid repair to the several farms within his district.

5. No contract between the employer and the labourer for the performance of any such specific or task-work, or for the performance of any labour in extra hours, shall endure and continue in force, or be binding upon the parties entering into the same, or either of them, after the expiration of thirty days from the making thereof, unless the same shall have been made and entered into by such parties in the presence and with the approbation of the justice, or unless, having been entered into in his absence, the same shall be confirmed and approved by him before the expiration of such thirty days. And every such approbation of any such contract shall by the justice be attested under his hand in the book so to be kept as aforesaid.

6. It shall be the duty of the justice, before approving any such contract, to ascertain that the terms thereof are distinctly understood by the labourers entering into the same; and that such labourers have entered into such contract freely and voluntarily, and that the same is not unreasonable or unjust.

7. In every such contract for task-work, or for extra service extending beyond the period of thirty days, the nature and amount of the extra labour to be performed, and the amount of the consideration to be given for the same, and the time and manner of paying such consideration, shall be distinctly expressed.

8. No contract for such extra service as aforesaid shall continue in force for more than one year from the day of the date thereof.

9. Upon proof being made, to the satisfaction of the justice, of the non-payment of the consideration stipulated for in any such contract as aforesaid, whether for task-work or for extra services, it shall be competent to the justice to award execution against such employer

for the amount of such consideration, and if the same shall not be paid within thirty days next after such award, to issue an attachment against the produce, utensils and other chattels upon such farm; which execution and award shall be respectively in the forms annexed, marked (L.) and (M.)

10. Such execution and attachment as aforesaid shall be executed by the serjeant of the police of the district, who shall thereunder seize and sell, for which no auctioneer's license shall be necessary, so much of the produce, utensils, and other chattels as may be found upon such farm, as may be necessary for the payment of such debt, delivering over the surplus, if any, to such employer.

11. Any labourer violating the terms of such contract as aforesaid, shall be liable to the same pains and penalties as are before provided in respect of the violation by any such labourer of the duties to be by him performed in the discharge of the services owing by him by law to his employer, unless specific penalties are named in the contract.

12. Every married woman, notwithstanding her coverture, and every minor of the age of 12 years and upwards, notwithstanding his minority, shall be competent to enter into such contracts as aforesaid.

13. If any employer, or any person who, as manager or otherwise, exercises the authority of the employer over any labourer, shall whip, beat, imprison, confine in the stocks, or otherwise maltreat any such labourer, or shall, by way of punishment, commit any assault upon his person, such employer or other person shall incur a penalty, to be imposed by the justice, not exceeding 5 *l.*, with imprisonment for any time not exceeding one month, in default of the payment of such fine.

14. In any such case as last aforesaid, it shall be competent to any labourer, instead of preferring his complaint to the justice, to maintain any civil suit or action, as in the case of any other free person, for damages for such assault; and it shall also be competent to the justice, if he shall see occasion, to abstain from imposing such penalty, and to commit the offender to take his trial for such offence before any court having jurisdiction in the premises; if any such employer or other person shall be convicted before any such court of any cruelty towards his labourer, then the labourer may be discharged from his apprenticeship by order of the court before which such conviction shall be had.

Cap. VII.—*On Offence which may be committed by the Apprenticed Labourers against the State, and the Punishment of such Offences.*

1. If any labourer shall be found at any place distant more than five miles from the place of residence, not having with him a written pass for that purpose from his employer, or from the justice of the district to which he belongs, such labourer shall be liable to be apprehended and taken before the justice, and upon proof before the justice made of the facts aforesaid, such labourer shall be adjudged a vagabond, and punished accordingly: provided nevertheless, that nothing herein contained shall subject to any such punishment any labourer absenting himself without such pass as aforesaid, at any distance within this Colony from his residence, except as is hereinbefore excepted, during any time in which he may not be bound to labour in the service of his employer, if such labourer shall be so absent in the prosecution of his lawful business, or in attendance upon, or in the way to or from any place of public worship, and shall establish to the satisfaction of any justice before whom he may be so brought, that his absence took place during such time only, and was occasioned only by any such cause as aforesaid.

2. Any person aiding or assisting in the unlawful removal from the Colony of any labourer, shall be liable to a penalty of 50 *l.* or to imprisonment for any time not exceeding one month.

Cap. VIII.—*On the Dissolution of the Apprenticeship by Contract or Appraisement.*

1. Subject to the regulations hereinafter made, the employer of any labourer may, by his last will or by deed under his hand, at his pleasure, discharge any such labourer, so far as relates to the interest of every such testator or grantor, and that every such discharge shall, as far as relates to the interest of the testator or grantor, as the case may be, but no further or otherwise, be valid and effectual in the law for the perpetual discharge of such labourer: provided nevertheless, that no person having a partial or temporary interest in any labourer, may, to the extent of such interest, effect his discharge gratuitously, unless all other persons having a partial, future or reversionary interest in such labourer, shall consent or be parties to such discharge, or unless such interests shall be purchased in the manner hereinafter provided.

2. And in order to prevent the fraudulent discharge of labourers, incompetent from age or disease to earn their own living; Be it provided, that in case any such deed of discharge shall be executed gratuitously and without any valuable consideration passing to the employer or other person effecting the same, the labourer so to be discharged shall, previously to the actual execution of any such deed, appear before the justice for the district in which the labourer is resident; and if it shall appear to the said justice that such labourer is under the age of 14 years, or above the age of 50 years, or is labouring under any habitual disease or infirmity of mind or body, the employer or person effecting such discharge shall, under his hand, execute and deliver to the said justice a bond to His Majesty in the penal sum of 50 *l.*, with a condition thereunder written for the defeazance thereof, if such labourer shall be properly fed, clothed and maintained until he shall have attained the age of 14 years, or until the time when the term of apprenticeship would have expired, if such discharge had not been made,

made, whichever shall first happen; and no such gratuitous discharge shall be valid and effectual in the law until shall bond as aforesaid shall be duly executed.

3. Provided nevertheless, that no such bond as aforesaid shall be required in the case of any discharge by will; but if at the time of the death of the testator, the labourer so discharged shall be under the age of 14 years, or above the age of 50 years, or labouring under any such disease or infirmity as aforesaid, the estate of every such testator shall be liable to and chargeable with the maintenance of such labourer, as fully as if the said testator had in his life time executed such bond as aforesaid.

4. And to prevent ignorant labourers effecting the purchase of their discharge from persons unable to make any valid title to the same, it is and shall be lawful for any person being the employer of any labourer in the said Colony, to contract with such labourer through the agency of any justice as aforesaid, acting for and on behalf of such labourer, but not otherwise, for the discharge of the said labourer, at a price to be agreed upon between the said employer and the said justice respectively; and in case of any such contract, it shall be the duty of the said justice, on behalf of the said labourer, to satisfy himself that the person proposing to effect the said discharge has good right and title in the law and is competent to effect the same; and it shall also be the duty of the said justice, without fee or reward, to prepare in every such case the proper deed of discharge, which shall in all cases be executed in the presence of and attested by the said justice, or some proper person, to be especially appointed by him, to be such witness thereto; and every such deed being so executed, shall by such justice be enrolled in the supreme court of justice within one calendar month next after the date and execution thereof; and in case any such deed shall not be so enrolled by the said justice within the said period of one calendar month, the said justice shall incur and be liable to the payment of a fine of not less than 10*l.* nor more than 50*l.*

5. And to provide for the discharge of labourers desiring to obtain the same by purchase, in cases where their employers may be unwilling or unable to contract for such discharge, the employer, or any person having any interest in any such labourer, shall be unwilling to effect his discharge, or shall by reason of any mortgage or settlement, or lease or charge upon, or interest in such labourer being vested in any other person, be unable to execute a valid and effectual discharge of such labourer; or if the employer, or any other person having a charge upon or interest in any such labourer shall be a minor, or a married woman, or idiot or lunatic, or if the real employer of any such labourer shall be absent from the Colony, or shall not be known; or if any suit or action shall be depending in any court of justice in the Colony, wherein the right to the service of such labourer shall or may be in controversy, or if the employer of any such labourer shall demand as the price of his discharge a greater sum of money than may appear to the said justice to be the fair and just value thereof, then and in each and every of the cases aforesaid any judge, on application to him for that purpose made by the said justice, shall issue a summons under his hand, requiring the employer of such labourer to appear before him at some convenient time and place, to be in such summons for that purpose appointed, and notice shall be published by the said justice in the public Gazette of the Colony of the time and place appointed for the purpose aforesaid, and in such notice all persons having or claiming to have any title or interest to or in the services of the labourer proposed to be discharged, either in their own right, or as the agents, guardians, attornies, trustees or representatives of any other person, shall be required to attend and prefer such claims.

6. At the time appointed for any such meeting as aforesaid, any judge in the presence of the said justice, and also in the presence of the employer of the labourer proposed to be discharged, or upon proof being made to him upon oath of the due service and publication of such notice as aforesaid, then, if necessary, in the absence of such employer, shall proceed to hear in a summary way what may be alleged by the said justice, and by the employer or other persons claiming any interest in the services of the labourer proposed to be discharged, and attending in pursuance of any such notice; and in case the said parties, or any of them, shall refuse to effect such discharge at a price approved by the said justice, or in case it shall be made to appear to any judge, that a valid and effectual discharge of such labourer cannot legally be effected by private contract, or that the employer of such labourer, or any person having any charge upon or interest in the services of such labourer, is a minor, or a married woman, or idiot or lunatic; or that the employer of the labourer, or any person having any charge upon or interest in the services of such labourer, is absent from the said Colony, or is unknown, or cannot be found, or that any action is depending in any court of justice in the Colony wherein the right to the services of such labourer is in controversy; then, and in every such case, any judge shall require the justice and the employer of such labourer, if attending in pursuance of such notice, each to nominate an appraiser of the value of his services for the remainder of such apprenticeship, and the said judge shall himself nominate an umpire between such appraisers; but if such employer being duly summoned as aforesaid, shall fail to attend, or attending shall refuse or omit to nominate an appraiser, then the said judge shall not only nominate such umpire as aforesaid, but shall also nominate an appraiser on behalf of such employer.

7. The appraisers so to be nominated as aforesaid, shall be duly sworn by and before any judge, to make a fair and impartial appraisement of the value of the services of the labourer so proposed to be discharged; and within seven days next after such their appointment, such appraisers shall make a joint valuation of the said services, and shall certify such their valuation to any judge, under their hands; and in case such joint certificate shall not be so made and delivered to the said judge within the said term of seven days, then the said umpire, being duly sworn in manner aforesaid, shall within the next succeeding seven days certify

his valuation to the said judge; and the valuation to be made in manner aforesaid, either by the said joint appraisers, or in their default by the said umpire, shall be binding and conclusive, and shall be entered and enrolled among the records of the Supreme Court of the Colony.

8. Provided, nevertheless, that if it shall be made to appear to any judge, within six weeks next after such valuation shall have been made, that in the making thereof the said appraisers or umpire, or any of them, acted fraudulently or unjustly, or under the influence of any improper motive, or under any mistake as to the nature of their or his duty, or under any misapprehension of any material matter of fact, then, but not otherwise, it shall be lawful for the said judge to set aside the said valuation, and to declare the same to be void, and to direct another valuation to be made in manner aforesaid, for which purpose new appraisers and a new umpire shall in manner aforesaid be appointed and sworn, and shall proceed to make a second valuation, which being certified to the said judge in manner aforesaid, shall be binding and conclusive: provided that such second or any subsequent valuation may in like manner be set aside by any such judge on the grounds aforesaid, until a valuation is made not open to any such objection.

9. Provided also, that if the amount of any such valuation shall not be paid in manner hereinafter mentioned, within three calendar months next after the enrolment thereof, such enrolment shall be cancelled.

10. Upon or within three calendar months next after the enrolment of any such valuation as aforesaid, it shall be lawful for any justice, out of any monies to be supplied to him for that purpose by the labourer proposed to be discharged, to pay to the treasurer of the Colony the appraised value of the services of such labourer, taking a receipt in writing from such treasurer for every such payment; and any judge shall, upon application to him for that purpose made by the said justice, make an order for the enrolment of such receipt, and shall by such order further proceed to declare and adjudge that the labourer, by or on behalf of whom such money hath been paid, is discharged; and such labourer shall thereupon be and be deemed to be discharged from such apprenticeship.

11. The money to arise from the discharge of any labourer by virtue of the proceedings before mentioned shall remain in the hands of the treasurer of the Colony, and shall bear interest at and after the rate of four pounds per cent. per annum, and His Majesty's revenue in the said Colony shall and is hereby declared to be pledged and responsible for the due payment of such principal money and interest; or shall in the discretion of such treasurer be invested in his name, in good and sufficient securities; and any judge shall, and he is hereby authorized, upon application to him for that purpose made, to direct that the money in the hands of the said treasurer and the interest accruing on such money, shall be the property of the person who was entitled to the services of such discharged labourer, and shall be subject and liable to all such and the same uses, trusts, limitations, conditions, mortgages, claims and demands of what nature or kind soever, as such services were subject unto at such time of the discharge of such labourer. And the treasurer shall hold the said money and the interest accruing thereupon, subject to such order as any judge may, upon a summary application of any person interested therein, and upon notice to all other persons interested therein, or their agents, see fit to make; and such principal money and interest shall by the treasurer be paid and disposed of in pursuance of, and in obedience to, any such order.

12. It shall be lawful for the judges to make and prescribe, and from time to time to revoke and alter, as occasion may require, all such rules and orders as may be necessary for the regular and proper exercise of the jurisdiction hereby in them vested, and for regulating the proceedings of all persons who may be parties to or interested in any question so depending before them.

13. It shall be lawful for the judges respectively to appoint such and so many commissioners as they shall see fit, to do all such matters and things with respect to the valuation of apprenticeships, as the said judges are hereby authorized and required to do.

Cap. IX.—*On the Apprenticeship of Children.*

1. Every indenture of apprenticeship to be made and entered into by any such justice as aforesaid, in pursuance of the said Act of Parliament, on behalf of any children of any labourer shall be in the form annexed, marked with the letter (N.), and shall be kept and recorded in the office of the justice for the district to which such apprenticed child may belong.

2. No child born of any female labourer, which labourer was herself the child of an apprenticed labourer, shall be bound an apprentice under the provisions of this ordinance.

Cap. X.—*On the Alienation by Sale, or Will, of the Services of Apprenticed Labourers.*

1. The right or interest of any employer to and in the services of any labourers as aforesaid, shall, upon the death of any such employer, pass to and become vested in such person as, if the said Act had not been passed, would by will or descent, as the case may be, have been entitled to such labourer, as his slave, and such right or interest shall pass and be transferable, *inter vivos*, in such manner and form, and under and by virtue of such deeds, instruments, and conveyances as slaves have hitherto been transferable, and have passed in this Colony, and shall be liable to be seized and taken in execution and sold under process of law in satisfaction of any sentence or judgment of any court of competent jurisdiction.

2. Provided

2. Provided always, that no labourer shall be publicly or privately exhibited, or be liable or compelled to attend in person at the time or place of any sale or transfer of his services.

CAP. XI.—*On the Relation in which the Apprenticed Labourers will stand towards the State.*

1. No labourer shall, during the continuance of his apprenticeship, be liable or competent to serve His Majesty in any civil office or in any military capacity within the said Colony, or to enjoy or exercise any political franchise therein.

2. Provided always, that nothing herein contained shall exempt any such labourer from the obligation of rendering to His Majesty any service, civil or military, which, in case or in the prospect of any invasion, rebellion, or any great public exigency, may by His Majesty, or by the Governor for the time being, or by any other lawful authority, be imposed upon him.

3. Provided also, that nothing herein contained shall extend to disqualify any labourer from undertaking and discharging any office or employment in the service of any corporate or ecclesiastical body, or of any person, in cases where such employments or offices may not be connected with the discharge of any military or political duties.

CAP. XII.—*Explanation of Terms used in this Ordinance.*

Wherever the words "judge," "justices," "employers," and "labourers," are used in this ordinance, they shall be construed to mean respectively, the chief justice, or any judge of the supreme court of this Colony, the special justices or magistrates; the persons entitled to the services of apprenticed labourers, and the apprenticed labourers, all as mentioned in the Act aforesaid; and the words "his" and "person" shall be construed to mean respectively "his," "her" or "their," and "person" or "persons," as the case may be.

FORMS referred to in the foregoing ORDINANCE.

(A.)—WARRANT.

Cape of Good Hope, } To of district, and all
To wit. } other officers of police in the Colony of the Cape of Good Hope.

Forasmuch as of in the district aforesaid, apprenticed labourer, hath this day been charged before me one of His Majesty's special justices of the peace for the Colony aforesaid, on the oath of a credible witness, for that he the said on, &c. at, &c. did, &c. These are, therefore, to command you, in His Majesty's name, forthwith to apprehend and bring before me, or some other of His Majesty's special justices of the peace in and for the said district, the body of the said to answer unto the said charge, and to be further dealt with according to law. Herein fail you not.

Given under my hand, the day of in the year of our Lord

(B.)—SUMMONS.

To of in the Colony of the Cape of Good Hope.

Whereas a complaint, on oath, hath been preferred to me by of that you, the said did, on the day of in the year of our Lord [*here state the complaint in general terms*]: Now I, one of His Majesty's special justices of the peace in and for the said Colony, do hereby summon and require you, the said to attend before me, at in the of in the said Colony, at the hour of in the of the day of in this present year 18 , then and there to answer the matters of said complaint.

Given under my hand, this day of in the year of our Lord

(C.)—SUMMONS.

To of in the Colony of the Cape of Good Hope.

These are to require you to attend and be personally present at the hour of in the of the day of 18 , at in the of then and there to be examined before me as a witness, touching and concerning the matters of a certain complaint depending before me on the behalf of against

Given under my hand, this day of in the year of our Lord

(D.)—Recognizance.

Cape of Good Hope, } *A. B.* of in said Colony, acknowledges himself to
To wit. } be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds.

C. D. of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds. *E. F.* of in said Colony, acknowledges himself to be indebted to our Sovereign Lord the King, his heirs and successors, in the sum of pounds: Upon condition that the said *A. B.* do personally appear before me, or any one of His Majesty's special justices of the peace, in and for the Colony of the Cape of Good Hope, on the day of at in the aforesaid, there to answer the complaint of and do not depart without leave, then this Recognizance to be void, or else to remain in full force.

Taken and acknowledged the day of 183
Before me,

One of His Majesty's special justices of the peace for the Colony of the Cape of Good Hope.

(E.)—Commitment.

Cape of Good Hope, } To serjeant of police, and all other police officers
To wit. } whom this may concern.

Whereas was this day brought and charged before me, one of His Majesty's special justices of the peace in and for the Colony of the Cape of Good Hope, on the complaint of with, &c. And whereas having thought proper to adjourn the hearing of such complaint for further inquiry, the said hath although by me required, and does to find sureties for hi personal appearance before me, or some other special justice of the peace, on the day of at to answer the premises.

These are, therefore, in His Majesty's name, to command you, the serjeant of police, and all other officers of police, safely to convey the said and to deliver him to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he shall find sureties, or otherwise be discharged by due course of law.

Given under my hand, this day of in the year of our Lord

(F.)—Conviction by a Special Justice of the Peace.

Cape of Good Hope, } In the day of
To wit. } Be it remembered, that on the of in the year of our Lord at in the Colony of the Cape of Good Hope, is convicted before me one of His Majesty's special justices of the peace for said Colony, for that he the said did, &c.

And I, the said special justice, adjudged the said for his said offence to

Given under my hand the day and year first above mentioned.

(G.)—Commitment.

Whereas was this day brought before me, the undersigned special justice of the peace in and for the Colony of the Cape of Good Hope, on a complaint that he the said did, &c. And I, the said justice of the peace, having inquired into the circumstances of the case, and having deemed it to be of such a nature as ought to be tried before a Supreme Court of Criminal Justice, do hereby commit the said to there to be detained until discharged by due course of law: These are, therefore, in His Majesty's name, to command you constable, and all other officers of police, safely to convey the said to the keeper of requiring you, the said keeper, to receive and safely to keep the said until he be discharged by due course of law.

Given under my hand, this day of in the year

(H.)—Warrant for Execution of Sentence under Conviction.

Cape of Good Hope, } To serjeant of police, at
To wit. } Whereas on the day of in the year of our Lord at in the Colony of the Cape of Good Hope, of was convicted before me, one of His Majesty's special justices of the peace for the said Colony, for

for that he the said did, &c. and was for the said offence by me sentenced to pay a penalty of pounds [or to receive a whipping of lashes, as the case may be.] This is therefore to require you, that of the goods and chattels of the said in this district, you cause to be levied and raised the amount of the said penalty, and pay to me the said sum so to be levied as aforesaid [or, this is therefore to require you, that you cause the said to receive and undergo the punishment and sentence aforesaid.]

Given under my hand, this day of

(I.)—Warrant.

Whereas on the day of I did issue to of in the Colony of the Cape of Good Hope, my summons requiring to attend before me at in the of in the said Colony, at the hour of in the of the day of in this present year of then and there to give evidence touching and concerning the matters of a certain complaint preferred to me by against And whereas the service of the summons on the said hath been made to appear to me on the oath of one credible witness, and yet the said hath refused or neglected to appear at the time and place so appointed: Now you are hereby authorized and required to arrest the person of the said and to bring before me at the hour of in the of the day of at in the of in the said Colony; and for so doing this shall be your warrant.

Given under my hand this day of in the year of our Lord

To

(K.)—Commitment.

To constable.

Whereas having before me as a witness upon certain complaint depending before me, on behalf of against on this day of 183 at in the of in the Colony of the Cape of Good Hope, without lawful cause, hath refused to answer the questions (copy of which questions is hereunder written) then and there proposed to touching the subject of such hearing and inquiry: Now, I do hereby authorize and require you to detain the said in in the of there to remain until shall submit to touching the subject of such hearing and inquiry, and for so doing this shall be your warrant.

Given under my hand, at this day of in the year of our Lord

(L.)—Award or Sentence.

Cape of Good Hope, } To wit. } Whereas proof having been made to the satisfaction of the special justice, on the day of at the farm in the district in the Colony of the Cape of Good Hope, that hath not paid to the sum of being the amount stipulated to be paid by to for work and labour done and performed, according to a contract bearing date the day of it is hereby awarded that the said do pay to the said the said sum of free of all deductions whatsoever within days after the date of this award, on pain, in default thereof, of a levy being made upon the property of the said

Thus done and awarded at in of in the Colony aforesaid, this day of 183

(M.)—Warrant of Execution.

Cape of Good Hope, } To wit. } Whereas at the Session held before me on the day of at in district in the Colony of the Cape of Good Hope, it was awarded that of should pay to the sum of free of all deductions whatsoever, within days after the date of that award, on pain in default thereof, of a levy being made upon the property of the said And whereas the said hath not paid the said sum of to the said

said although the time allowed for the payment thereof hath expired: These are, therefore, to command you to levy the said sum of by distress and sale of the goods and chattels or other property of the said and it is hereby ordered and directed, the goods and chattels so to be distrained to be sold and disposed of within days after such levy, unless the said sum of for which such distress shall be made, together with the reasonable charges of taking and keeping such distress, shall be sooner paid: And you are hereby also commanded to certify unto what you shall have done by virtue of this warrant.

Given under hand, at the day of in the year of our Lord

(N.)—Indenture of Apprenticeship.

This Indenture, made the day of in the year of our Lord 183 between *A. B.*, one of His Majesty's special justices of the peace in and for the Colony of the Cape of Good Hope, for and on the behalf of *C. D.*, an infant, aged years, of the district of in the said Colony, of the one part, and *E. F.* of in said Colony, of the other part: Whereas *E. F.* [the employer] hath agreed with the said *A. B.* [the special justice] to take the said *C. D.* [the apprenticed] as his apprentice for the term of years, to be taught and instructed in the trade or business of in consideration and subject to the terms and conditions hereinafter contained: Now this Indenture witnesseth, that in pursuance of the said agreement, and in virtue of the ordinance in this case made and provided, he the said *E. F.* [the employer] doth hereby for himself, his heirs, executors and administrators, covenant, promise and agree with and to the said *A. B.* [the special justice] in the manner following; that is to say, that he the said *E. F.* [the employer] shall and will, during the term of years, according to the best of his skill and knowledge, teach and instruct, or cause to be taught and instructed, the said *C. D.* [the apprentice] in the trade or business of and all and every the matters and things whatsoever incident or relating thereto; and also shall and will, during the said term, find and provide the said *C. D.* [the apprentice] with suitable and sufficient diet, clothing, lodging and medical attendance, in a like and equal manner with the rest of apprenticed labourers in this Colony, and according to the said ordinance in such case made and provided, and to all other ordinances or laws which may hereafter be made touching or concerning the clothing, feeding, lodging and medical attendance of apprenticed labourers in this Colony, and shall also allow to the said *C. D.* such reasonable time and opportunity for education and religious instruction as shall be appointed or assigned by a special justice of the peace of the district in which the said *C. D.* shall reside. And in consideration of the covenants and agreements hereinbefore contained on the part of the said *E. F.* [the employer] he the said *A. B.* [the special justice] hath placed and bounden, and by these presents doth place and bind, the said *C. D.* [the apprentice] as a apprenticed labourer, unto and with the said *E. F.* [the employer] for the said term or period of years, to be computed from the date of these presents; and doth hereby, for and on the behalf of the said *C. D.* [the apprentice] to and with the said *E. F.* [the employer] covenant, promise and declare, that he the said *C. D.* [the apprentice] shall and will, during all and every part of the said term of years, truly and faithfully serve the said *E. F.* [the employer] as a apprenticed labourer in the said trade and business of and diligently attend to the business and concerns thereof, according to the rules, regulations and laws now or hereafter to be in force of and concerning apprenticed labourers in this Colony.

In witness whereof, I the said special justice as aforesaid, for and on behalf of the said *C. D.*, have hereunto set my hand, and the said *E. F.* hath also set his hand in my presence at in the Colony aforesaid, the day and year first above written.

Given at the Cape of Good Hope, this 5th day of January 1835.

By command of his Excellency the Governor,

John Bell, Secy to Govr.

By order of the Council,

H. A. Hamilton, Clerk of the Legislative Council.